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## Legislative Assembly of Ontario

Second Session, 38<sup>th</sup> Parliament

## Assemblée législative de l'Ontario

Deuxième session, 38<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)



Monday 3 April 2006

Lundi 3 avril 2006

Speaker  
Honourable Michael A. Brown

Président  
L'honorable Michael A. Brown

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers



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## LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 3 April 2006

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 3 avril 2006

*The House met at 1330.  
Prayers.*

### MEMBERS' STATEMENTS

#### ONTARIO BY-ELECTIONS

**Mr. John O'Toole (Durham):** I stand to congratulate each citizen who put their name forward in the recent by-elections in Whitby-Ajax, Nepean-Carleton and Toronto-Danforth. In fact this House, I'm sure, congratulates the three successful candidates: Christine Elliott, PC member for Whitby-Ajax; Lisa MacLeod, PC member for Nepean-Carleton; and of course Peter Tabuns, NDP for the Toronto-Danforth riding.

Clearly this is springtime in Ontario, and indeed it's the beginning of a rather cool fall and winter for the current government. Yes, the people of Ontario are looking for new beginnings, and that can easily be seen in the fact that the Liberal government was shut out in the recent by-elections held last Thursday.

Ontarians have sent a clear message to Dalton McGuinty's government: The people of Ontario are tired of paying more and getting less; they are tired of the growing McGuinty bureaucracy; they are tired of the broken promises; they are tired of a government without a plan to reduce wait times at hospitals, stop the loss of Ontario jobs and halt gridlock on our roads, and the list goes on.

But our party's success in the by-elections is not just a mid-term verdict on the McGuinty government; it is also a reflection of the quality of the candidates who are now joining the John Tory team. I'm proud to say that with the election of Christine Elliott and Lisa MacLeod, the Progressive Conservatives have almost doubled the number of women in our caucus. They offer integrity—

**The Speaker (Hon. Michael A. Brown):** Thank you.

#### ONTARIO BUDGET

**Mr. Khalil Ramal (London-Fanshawe):** The 2006 budget is good news for London. The budget is getting a positive response in London. The president of the London Chamber of Commerce is quoted as saying, "We're getting a fairly good chunk of change ourselves." London city hall's director of roads is excited about the significant increase in funding for roads and bridges.

In addition to more money for roads and bridges, the budget includes funding to expand the facilities at the London Health Sciences Centre and St. Joseph's Health

Care to increase the number of patient beds at both hospitals. There is also funding for the announced investment of \$1.2 million to increase the number of family residency positions by 47% at Western's Schulich School of Medicine.

There are also several province-wide initiatives that will benefit my constituents in London, including school boards getting more money—\$424 million more—in 2006-07, an increase in social assistance allowances by an additional 2%, and 14,000 additional child care spaces funded under Best Start.

The investments being made by our government are welcome changes after years of cuts to health care and education by the previous government. The 2006 budget is good news for my constituents of London-Fanshawe. I am proud to be part of a government that has been focused on making Ontario a stronger province by investing in infrastructure, health care and education.

#### HOCKEY

**Mr. Bill Murdoch (Bruce-Grey-Owen Sound):** Last Friday, I had the pleasure of watching the Owen Sound Attack beat the Kitchener Rangers in game five of the Ontario Hockey League western conference quarter-final. The Attack now moves into the semi-finals of this conference, and all hockey fans, including myself, couldn't be more proud and excited.

The credit goes to a hard-working team of young men who have helped bring more and more fans to the Harry Lumley Bayshore Community Centre. We are also grateful to the current owners of the Attack: area business people who rallied together when the threat of losing the former Platers franchise occurred in March 2000. The new owners include Brian Johnson, Bob Severs, Frank Coulter, Peter and Paul MacDermid and Faye Harshman.

The team, coached by Mike Stothers and managed by Michael Futa, includes Neil Conway, Andrej Sekera, Trevor Koverko, Jeff Moor, Scott Giles, Colin Hanley, Bobby Ryan, Igor Gongalsky, Derek Brochu, Scott Tregunna, Jeff Kyrzakos, Zach McCullough, Joshua Bailey, Marcus Carroll, Bob Sanguinetti, Marek Bartanus, Theo Peckham, Mike Angelidis, Michael Ouzas, Josh Catto, Matthew Kang, Miles Cope, Payton Liske and Russ Brownell.

As we move into the next round, we will be playing either Guelph or London, and we fully expect to defeat them like we beat the Kitchener Rangers.

Of course, a team is nothing without its fans, and kudos go to Helen Lewis, the Attack Pak Fan Club presi-



dent, who, joined by many volunteers, works tirelessly arranging buses for road games, team functions with fans and many other events.

Nothing builds community spirit better than cheering for a winning team, and I'm pleased to be part of that success story.

#### ON YOUR MARK TUTORING PROGRAM

**Mr. Rosario Marchese (Trinity-Spadina):** Today I would like to recognize the On Your Mark tutoring program for children of Portuguese-Canadian descent. It's a program that runs out of the Working Women Community Centre in Toronto.

This program is a partnership with the Portuguese Coalition for Better Education and the Portuguese Inter-agency Network. The tutoring/mentoring program is set up to reach at-risk Portuguese students in public and Catholic schools. By "at risk" we mean students who, in the early grades—primary division—lag behind in literacy and numeracy standards for their grades, and students at crucial points in high school—at the transition years and toward the end—to prevent dropping out and encourage the pursuit of post-secondary education.

Parents note that the greatest improvement in their children is self-esteem in their academic abilities since participating in the program. In most cases, children more regularly complete homework, and their grades improve.

On Your Mark has successfully engaged 352 students from 27 schools across the Toronto District School Board and the Toronto Catholic District School Board. There is currently a list of 31 students waiting to be matched with tutors. If you or someone you know is interested in volunteering a minimum of one hour a week to help make a difference in a child's future, please contact project coordinator Sonya Neves at the Working Women Community Centre at 416-532-2824.

1340

#### AMBULANCE SERVICES

**Mrs. Linda Jeffrey (Brampton Centre):** In February, Premier McGuinty announced that our government would spend \$300 million over the next three years to achieve a 50-50 cost sharing with municipalities for land ambulance services. He indicated that our government would increase annual funding for such services to \$280 million this year, \$333 million in 2007 and \$285 million in 2008.

Responsibilities for land ambulances were down-loaded to municipalities under the previous government with a never-fulfilled promise of splitting the costs. Since then, regions like Peel have invested millions of dollars trying to put more ambulances on the road and reduce emergency response times. In 2005, the region of Peel invested \$3.2 million in 16 new paramedics and three new ambulances, attempting to improve response times to emergencies. The region of Peel invested resources to add service hours, train more advance-care paramedics

and bring on new equipment. We know that for heart attacks and other serious emergencies, every minute counts. That's why I'm delighted that the region of Peel will receive over \$5 million as part of our government's plan to strengthen cost sharing with municipalities for land ambulance services. This funding will allow the region of Peel to address such issues as population growth and rising labour costs while continuing to improve services and decrease response times.

Our government is working with municipalities to narrow the gap and is committed to helping municipalities provide quality ambulance services.

#### HIGHWAY 407

**Mr. Tim Hudak (Erie-Lincoln):** Members know that on Friday beleaguered Liberal Transportation Minister Harinder Takhar and the McGuinty government finally threw in the towel in the ongoing battle with the 407 ETR. After seven straight court losses, the McGuinty government realized that their win-loss record closely resembled that of the Washington Generals, the perennial punching bag of the Harlem Globetrotters.

The fact of the matter is that Dalton McGuinty and his Liberal MPPs intentionally made a promise they knew they could not and would not keep. Folks know that the 407 contract had not only been obtained by the Liberals through a freedom of information request while in opposition, but the contract had also been fully in the public realm before Dalton made his promise to roll back tolls.

Let's face it. In order to get votes, Dalton looked into the camera and made a promise that he knew he could not and would not keep. Instead of admitting this from day one, Dalton chose instead—

**Mr. Dave Levac (Brant):** On a point of order, Mr. Speaker: In the standing orders—I read from page 18, section 23—"In debate, a member shall be called to order ... if he or she...."

"Imputes false or unavowed motives to another member."

I find it highly improper that these motivations are being used.

**Mr. Gilles Bisson (Timmins-James Bay):** Point of order, Speaker.

**The Speaker (Hon. Michael A. Brown):** On the same point of order?

**Mr. Bisson:** On the same point of order: I agree with the whip of the Liberal Party but it was—never mind.

**The Speaker:** The member for Erie-Lincoln.

**Mr. Hudak:** Instead of admitting this, Dalton chose to engage in a very expensive legal battle for one purpose and one purpose only: to try to save face. The problem is, after two and a half years in the courts, the taxpayer is about \$2 million to \$5 million worse off.

What makes matter worse is that by losing seven consecutive court cases, the government had next to nothing to offer in negotiations and the result is worse today than if it had begun the process from day one. The Liberals hid behind expensive lawyers for two years instead of



admitting they made a promise they knew full well they weren't going to keep.

### TRANSPORTATION INFRASTRUCTURE

**Mr. Richard Patten (Ottawa Centre):** I rise today to commend the Ministers of Finance and Transportation for the timely inclusion in the recent budget of \$32 million for transportation infrastructure in Ottawa. Through the initiative Move Ontario our government is putting a total of \$1.2 billion into transportation, roads and bridges, a portion of which will be spent in our nation's capital.

As Ottawa Mayor Bob Chiarelli said, "Ottawa needs to maintain and expand its key infrastructure to meet its expected growth—whether that's roads, transit, housing, water, or arts and culture. For this reason, I'm pleased that Ottawa will receive \$32 million for transportation infrastructure from the province" in this budget. "This unexpected and much-needed funding will serve to enhance road safety, reduce traffic gridlock and help beautify our streets."

This new money is coupled with the government's previous commitment to modification improvements on the Queensway, as well as a \$200-million investment in the north-south light rail transit that we call the O-Train.

In addition to this, in this particular budget three major cultural projects received provincial support as well. I haven't got the time today to elaborate on these, but I'll take another day to explain this to viewers, especially from Ottawa, who will be so pleased to know about what has happened as a result of this budget in terms of what it means to Ottawa.

### PUBLIC TRANSIT

**Mr. Tony Ruprecht (Davenport):** One of the biggest problems in getting around Toronto and commuting is gridlock, which costs the Toronto region over \$2 billion annually. Gridlock produces lost time and wasted fuel, and it certainly harms the environment. In order to deal with this gridlock, the McGuinty government has budgeted \$1.2 billion in new infrastructure, spending much of it on the GTA.

Our Minister of Finance has said, "These investments are the beginning of a new era in public transit." He's right. After decades of inaction, we finally have a firm commitment to build the most important project which will lessen GTA gridlock; that is, the subway extension to York University. The subway will carry 100,000 riders, eliminate 83,000 car trips and take pressure off the over-packed Yonge Street line. It will become a critical transportation link between downtown and the 905, and will create a new transportation hub in Vaughan.

The residents of my riding of Davenport are delighted, since this subway will directly affect their ability to attend classes at York University and to see their relatives along the route to Vaughan. Since the Mississauga and Brampton transit lines will also see improvements, the incentives to leave their cars at home will be even

stronger. This is a win-win project, and I congratulate the McGuinty government on its foresight.

### ONTARIO BUDGET

**Mr. Lou Rinaldi (Northumberland):** It's with great honour that I rise in the House today to share some good news with my colleagues, particularly my good friend the member from Leeds-Grenville, who has shown a great interest in my riding of Northumberland. Our recent budget has been so well received in the riding of Northumberland that I want to share with you the reaction of some of the mayors from Northumberland.

Mayor Hector Macmillan from Trent Hills describes the funds to be received in this budget as "terrific." I quote Mayor Peter Delanty of the town of Cobourg in the Northumberland News as saying: "This provincial budget appears to have taken the plight of cash-strapped municipalities seriously." It then goes on to say, "Certainly, it's the first in a very long time that he has listened to a budget that reflects the province's reaching out to help municipalities: 'I tip my hat to the province.'" The mayor of Quinte West is quoted in the Trentonian as stating that the infrastructure funding is "welcome news." In the Brighton Independent, Mayor Bill Finlay of Alnwick/Haldimand states, "The funds are needed, and we do appreciate it."

I could go on and on with the thanks and praise that I've personally received from the mayors of my riding of Northumberland in response to the recent budget.

So to you, my good friend the member from Leeds-Grenville, I thank you for showing interest in my constituents in the riding of Northumberland.

### ROYAL ASSENT

#### SANCTION ROYALE

**The Speaker (Hon. Michael A. Brown):** I beg to inform the House that on March 31, 2006, in the name of Her Majesty the Queen, His Honour the Lieutenant Governor was pleased to assent to certain bills in his office.

**The Clerk-at-the-Table (Ms. Lisa Freedman):** The following are the titles of the bills to which His Honour did assent:

Bill 82, An Act to authorize the expenditure of certain amounts for the fiscal year ending March 31, 2006 / *Projet de loi 82, Loi autorisant l'utilisation de certaines sommes pour l'exercice se terminant le 31 mars 2006.*

Bill 85, An Act to amend the Assessment Act / *Projet de loi 85, Loi modifiant la Loi sur l'évaluation foncière.*

### MOTIONS

#### HOUSE SITTINGS

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House**



**Leader):** I move that pursuant to standing order 9(c)(i), the House shall meet from 6:45 p.m. to 9:30 p.m. on Monday, April 3, 2006, for the purpose of considering government business.

**The Speaker (Hon. Michael A. Brown):** Is it the pleasure of the House that the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

*The division bells rang from 1350 to 1355.*

**The Speaker:** Order. Members please take their seats.

Mr. Bradley moved government notice of motion number 88. All those in favour will rise one at a time and be recognized by the Clerk.

#### Ayes

Arthurs, Wayne	Flynn, Kevin Daniel	Phillips, Gerry
Balkissoon, Bas	Fonseca, Peter	Racco, Mario G.
Bartolucci, Rick	Gerretsen, John	Ramsay, David
Bentley, Christopher	Hoy, Pat	Rinaldi, Lou
Berardinetti, Lorenzo	Hudak, Tim	Ruprecht, Tony
Bountrogianni, Marie	Jackson, Cameron	Sandals, Liz
Bradley, James J.	Jeffrey, Linda	Smith, Monique
Broten, Laurel C.	Klees, Frank	Sorbara, Gregory S.
Bryant, Michael	Levac, Dave	Van Bommel, Maria
Cansfield, Donna H.	Marsales, Judy	Watson, Jim
Caplan, David	McNeely, Phil	Wilkinson, John
Colle, Mike	Meilleur, Madeleine	Wilson, Jim
Craitor, Kim	Miller, Norm	Witmer, Elizabeth
Crozier, Bruce	Milloy, John	Wong, Tony C.
Delaney, Bob	Mitchell, Carol	Wynne, Kathleen O.
Di Cocco, Caroline	O'Toole, John	Yakabuski, John
Dombrowsky, Leona	Patten, Richard	Zimmer, David
Duguid, Brad	Peters, Steve	
Duncan, Dwight	Peterson, Tim	

**The Speaker:** All those opposed will please rise one at a time and be recognized by the Clerk.

#### Nays

Bisson, Gilles	Kormos, Peter	Murdoch, Bill
Dunlop, Garfield	Marchese, Rosario	Ouellette, Jerry J.
Hardeman, Ernie	Martel, Shelley	Prue, Michael

**The Clerk of the Assembly (Mr. Claude L. DesRosiers):** The ayes are 55; the nays are 9.

**The Speaker:** I declare the motion carried.

## STATEMENTS BY THE MINISTRY AND RESPONSES

### RENT BANK PROGRAM

**Hon. John Gerretsen (Minister of Municipal Affairs and Housing):** The strength of Ontario depends on the strength of our communities. Our government is committed to strong and safe communities. We are aware that affordable and secure housing is fundamental to the vitality of our communities. During the past two years, our government has worked with municipalities in a new spirit of co-operation to give them the tools to develop

housing solutions that are responsive to the needs of their individual local communities.

With that in mind, I'm pleased to inform members of the House today that our government has allocated the sum of \$4 million to our provincial rent bank program. This amount has been divided among the rent banks operated by all of our 47 municipal service managers in Ontario.

As members will recall, our government began the provincial rent bank program two years ago with a funding commitment of \$10 million. That amount represented a tenfold increase in funding for rent banks in Ontario. At the time, about half of Ontario's municipal service managers had rent banks in their jurisdictions. After the creation of our program, rent banks were established by all 47 municipal service managers in this province.

Since then, our provincial rent bank program has helped literally thousands of low-income households with short-term arrears to keep their homes. Short-term arrears are often the most common reasons why low-income tenants lose their housing and are forced into shelters. The provincial rent bank program helps to ensure housing stability for those who face eviction due to short-term arrears caused by an emergency or some other unforeseen circumstance.

Under our program, tenants with lower incomes may apply to their local rent bank through their municipality to receive financial assistance to address short-term emergency rent arrears. If a tenant's application to the rent bank is approved, the outstanding rent is paid directly to the landlord on behalf of the tenant. Rent bank funding can be used to cover up the two months' rent arrears.

#### 1400

The results of this program have been excellent. To date, in less than two years, a total of 4,177 households in municipalities across Ontario have received assistance from our provincial rent bank program. They have avoided eviction due to short-term rent arrears and they have been able to remain in their homes due to the existence of this program. It is a program that has made a very real difference in the quality of life for many vulnerable families across the province. It is one more step in creating a caring and compassionate society of which we all can be proud.

## COMMUNITIES IN ACTION FUND FONDS COLLECTIVITÉS ACTIVES

### Hon. Jim Watson (Minister of Health Promotion):

Our government is committed to providing all Ontarians with access to sport and recreation activities regardless of their age, ability or income. The communities in action fund, or CIAF, grants are a part of our Active 2010 strategy, which aims to increase the level of physical activity amongst Ontarians so that by the year 2010, when Canada welcomes the world through the Vancouver-Whistler Olympics, 55% of Ontarians are going to be physically active enough to benefit their health. It's



estimated that physical inactivity costs our health care system billions.

Part of the CIAF mandate is to support at-risk youth and to support them where it matters most—in their own home communities. We are working to keep kids safe and ensure that positive options are available after school. This year's \$5 million fund, which was part of Minister Duncan's budget, aims to increase the level of physical activity and sport participation rates in Ontario by assisting both local and provincial not-for-profit organizations to create and enhance opportunities for physical activity and community sport and recreation.

Monsieur le Président, pendant la période de subventions 2005-2006, nous avons attribué un total de 5,8 \$ millions à plus de 150 organismes à but non lucratif provinciaux et locaux.

In North Bay, for instance—and I thank the member for North Bay, Ms. Smith, who is a very active promoter of CIAF—a CIAF grant allowed the North Bay Canoe Club to introduce 565 children and youth to war canoeing. In Ottawa, a CIAF grant assisted with the development and delivery of recreational programs for four community houses in southeast Ottawa. The initiative has allowed 620 low-income children, youth and adults to gain access to 12 new recreation programs. A CIAF grant has enabled the Kapuskasing Indian Friendship Centre to create new fitness programming and also to enhance existing programs through the purchase of new fitness equipment for aboriginal elders and seniors in the Kapuskasing area. This project also helps to provide recreation for youth and younger adults, and will help to reduce obesity and diabetes rates in this First Nations community.

Dans la région du nord de l'Ontario, la proportion de financement par habitant est 10 fois plus élevée que dans les autres régions. En fait, la région du nord de l'Ontario a reçu 44 des 145 subventions régionales du FCA pour 2005-2006.

I should point out a big thank you to the northern Ontario caucus, who have been very insistent that the north get its fair share of grants. I'm pleased to see that 44 of the 145 regional grants for the communities in action fund went to the north, and I thank those members of provincial Parliament.

Last December, I met with several grant recipient organizations at the Metro-Central YMCA, including the Boys and Girls Clubs of Ontario, the Toronto Dragon Boats, and Native Children and Family Services of Toronto. In Mississauga, the Erinoak Children's Treatment Centre is developing sport and physical activity programs for up to 300 children and youth with disabilities in the Halton and Peel regions. In partnership with a wheelchair sports association and the Paralympics association, Erinoak has established an ongoing group for 10 participants and three volunteers to develop wheelchair sports skills. Last week, I attended the KidSport Funzone event, which is funded by a CIAF grant and provided an opportunity for 500 youth in the Cabbagetown area to test their skills at eight different sport activities. This KidSport

Funzone actually travels the province, so I would encourage members to look into this to try to get it to a school in their riding.

Notre investissement dans ces organismes aide ces derniers à offrir des programmes d'activités sportives essentielles aux gens défavorisés ainsi qu'à diverses collectivités. Nous voulons garantir que les enfants ontariens puissent disposer d'endroits où ils peuvent jouer, apprendre et faire de l'exercice en toute sécurité.

I'd like to commend the not-for-profit organizations for their dedication, for the countless hours they put into designing programs, and particularly for the hundreds of volunteers they recruit and for the key role they play in breaking down barriers to healthy, active living.

We must continue our commitment to working alongside these organizations through programs like the communities in action fund. I am pleased to announce that the McGuinty government has committed to a third year of this great program, and to inform all members that new applications are now being accepted and there are additional groups that are now eligible for funding. So I'd ask members to look at those packages that we sent around last week, including conservation authorities and colleges and universities.

Our investment in community organizations like the CIAF will enable the Ontario government to achieve our goal of building a healthy Ontario for healthy Ontarians.

**The Speaker (Hon. Michael A. Brown):** Responses?

#### RENT BANK PROGRAM

**Mr. Ernie Hardeman (Oxford):** I'm responding to the announcement by the Minister of Municipal Affairs. I want to say that it does follow the mantra of the present Liberal government: "Pay more, get less." I want to point out that since this program was started two years ago, the cost of hydro has gone up almost 25%. The cost of property taxation on rental units has gone up three times as fast as it has on residential, single-family dwellings. Of course, all the people who are eligible for this program are the same people who have to pay the McGuinty health tax. For that, what we see in this announcement is that it was a \$10-million, two-year program and it's now going to be a \$4-million, one-year program, which is I think 20% less, as I figured it out. So it definitely is "Pay more, get less."

When the program was introduced, there was a recommendation that went from the staff at the largest partner in this program, the city of Toronto, that the provincial rent bank program, beyond 2006—that any future funding allocation take into consideration the greater need for such assistance in communities where there is a larger tenant population, and that the cap on administrative funding be increased to collect the actual cost. That's not what the minister does in this announcement. He reduces it by 20%, as opposed to taking those things into consideration.

I also quickly wanted to point out—and it's not necessarily part of the program the minister announced—that I



met with the people of the Co-operative Housing Association, who had great concern about these same people that this program looks after: people living in co-op housing who find themselves unable to meet the requirements of paying full rent. But because of the legislation and the Social Housing Reform Act, they cannot change them to a rent-geared-to-income unit within the same complex. So they have to move out of their community.

I would point out that in this program, those same people are not eligible for this funding, and I think it's very important that the minister take a look at that. The minister did promise to do a review of the act to look after the shortcomings that the act presently has. But so far, in the past two years, he hasn't seen fit to do it, though he did announce it to the people who were involved with it, and they were looking forward to the minister moving on that fairly soon so we could look at people in co-op housing and they could move from one type of unit to the other without having to leave their community.

The other thing I just wanted to point out is that the announcement the minister made refers to seniors, but if we look at the criteria of the program, it excludes a lot of people. In fact, it is only for people who are working and earning remuneration. The two that I think are really important that are not covered, and one wonders why not, are people on social assistance, who cannot avail themselves of this program, which seems kind of strange—because of the level of social assistance, I would think that they would be among the first to need funding for that—and it doesn't apply to people who live in subsidized housing. I'm sure that subsidized housing is based on the amount of income they have. So it is every bit as probable that people with subsidized housing have as great a difficulty paying their rent as people paying full rent. So I would suggest that the minister look at that and make sure all people can avail themselves of this program.

1410

#### COMMUNITIES IN ACTION FUND

**Mr. Norman W. Sterling (Lanark–Carleton):** I'd like to respond to the minister for Liberal promotion. We have yet another announcement by the minister who calls himself the Minister of Health Promotion. This ministry continues to do the work of other agencies that were created before it was in place. We have now a partisan Liberal government ministry handing out money piecemeal to many non-profit recreational groups across the province. Before this minister was involved in this very, very partisan exercise we had the Trillium Foundation, which handed out money to non-partisan, community-based-decision organizations.

This ministry's charade, as it announces piecemeal grants on a very partisan basis, on a Liberal government basis, to put the best foot forward that it possibly can in a failing government, is a charade and it should be stopped. The administration is a useless cost that could be transferred into real action.

#### RENT BANK PROGRAM

**Mr. Michael Prue (Beaches–East York):** I will be responding to the Minister of Municipal Affairs and Housing. He has spoken today about a rent bank. He's spoken today about a \$4-million allocation. What he has not spoken about is his government's failure to institute rent controls. What he has not talked about today is the very serious issue of building affordable housing, and he has not talked about the 65,000 people on the waiting list in the city of Toronto alone who are looking for affordable housing, and there is none for them.

I remember some three years ago in the lead-up to the election—we all remember—all of the promises that were being made. One of the promises I remember most clearly and dearly in my heart was when the Premier, at that time the opposition leader, stood up and said, "A McGuinty government will pass a new Tenant Protection Act within one year of coming to office."

In eager anticipation, we all waited as that year came and went. Then we were into year two and we started to ask, "When can we expect it this year?" But year two came and went, and now year three is mostly gone. In fact, today is day 913, and you still haven't done what you were supposed to do by day 365. You are nearly 600 days in arrears. Can you imagine if a tenant were 600 days in arrears? He or she wouldn't be in their apartment, but you sit there smugly on that side and announce that you have \$4 million of allocation.

I have to tell you, we know what that means. It means almost nothing. The Federation of Metro Tenants' Associations in Toronto has documented growing evidence of the number of people who are being evicted in this city. Evictions have gone up markedly under the McGuinty government because what you are doing is not sufficient for those people who are renters.

I juxtapose the \$4 million today with what I think has been a failure and why so many people are finding themselves in arrears. The minimum wage has gone up only tiny bits at a time, so that a person on minimum wage today in the province of Ontario, working 40 hours a week, makes \$14,000 a year. That's all they make. When average rents for a one-bedroom apartment are closing in on \$1,000, you know there's not much for anything else.

We know that the government has come down with a 3%, a 0% and a 2% rate for welfare and ODSF, and these people aren't even eligible. We know that—

**Mr. Gilles Bisson (Timmins–James Bay):** They're not?

**Mr. Prue:** No, they're not even eligible. I'm going to get to that in a minute.

We know that with the clawback continuing to exist, the families who would have had \$1,450, who have had it clawed back, can't use that for very important things like the rent.

Now we have this \$4 million, as if we're all supposed to stand here and applaud. I know some of your backbenchers did, but did your backbenchers know that most



of that \$4 million is just topping up the \$10-million fund because you've spent \$4 million, which is out there in the system and which has yet to be repaid? All this is is topping up your bank; it's nothing more than that. You're trying to keep your \$10-million fund.

The wording is very strange. You're not talking about this being an expenditure, because it's not. You're not talking about it being new money, because it's not. What it is is an allocation to top up the fund. This is hardly an announcement that you should be proud of.

You've helped 4,177 people. I think all Ontarians would be truly grateful that these people have been helped. I know I am, because 4,177 people are not on the street. But it's clear that the reason you're topping it up is because they have not yet been able to afford to pay the money back. This is nothing more than a replenishing fund.

You promised to help the vulnerable due to unforeseen circumstances. But I have to tell you that the most vulnerable are not even eligible. ODSP recipients and welfare recipients are not eligible and, in most communities, single employable people are not eligible. Who gets the money is some of the families, not even seniors, because you have to have a job. You can't be on a pension, and that's according to your own government guidelines that you read out here two years ago.

What we need is a Tenant Protection Act. Today is day 913. You're nearly 600 days late. What we need as well is the building of affordable housing so that people don't find themselves in these circumstances, so that 65,000 families are off the waiting lists in Toronto and 100,000 are off the waiting lists in Ontario. That's what we need, not announcements—

**The Speaker:** Thank you.

#### WEARING OF PINS AND RIBBONS

**Mr. Dave Levac (Brant):** On a point of order, Mr. Speaker: April marks the beginning of Daffodil Month. The Canadian Cancer Society is doing their fundraising campaign with more than 40,000 volunteers. To bring attention to this, I'm seeking unanimous consent to wear either the daffodil pin or the ribbon, or both, to commemorate Daffodil Month for the Canadian Cancer Society.

**The Speaker (Hon. Michael A. Brown):** The member for Brant has asked for unanimous consent to wear either a daffodil pin or a ribbon commemorating cancer month. Agreed? Agreed.

#### ORAL QUESTIONS

##### ONTARIO PUBLIC SERVICE

**Mr. Robert W. Runciman (Leeds–Grenville):** I have a question for the Minister of Finance. Minister, could you please explain how on earth the bureaucracy of

your government has swelled by more than 7,200 employees since your party took power less than three years ago?

**Hon. Dwight Duncan (Minister of Finance, Chair of the Management Board of Cabinet):** To the Minister of Government Services.

**Hon. Gerry Phillips (Minister of Government Services):** Actually, in terms of the number of people in the Ontario public service, I think it's up by about 1,800. I would just say to the public that at least 600 of them are jobs that were outside consulting jobs that we have brought back into the public service and have saved over \$20 million. Two hundred of these people are health and safety inspectors, and I think about 100 of them are meat inspectors: all good investments of taxpayers' dollars to ensure that the health and safety of the people of Ontario are protected. So we're saving money on repatriating jobs and we're protecting the safety of the public with both the health and safety inspectors and the meat inspectors.

**Mr. Runciman:** The truth is, they're operating in true Liberal style, ballooning the bureaucracy, increasing taxes and spending dollars like there's no tomorrow. Of course, after taxpayers get their say in 2007, there will be no tomorrow for Liberals.

The government phone book is thicker and heavier than it has ever been—100 pages thicker, to be exact—and it has all happened under your watch. We knew you were on a tax-and-spend spree, and now we know you're also on a hiring spree. Considering how your broken promises on basics such as affordable electricity and no tax hikes are helping drive employers and highly skilled workers—is this your substitute for a job creation policy: 7,200 new bureaucrats?

1420

**Hon. Mr. Phillips:** You're just factually incorrect. Although that may not bother you, I think the public wants to know what the facts are: 1,800 new jobs, 600 of them consultants, on which you spent \$25 million more than you should have. We brought them back inside the public service. Secondly, I repeat: We have brought 100 meat inspectors back in.

He's counting up the people in the phone book, but we found a way to have more people listed in the phone book, not more jobs. Eighteen hundred more jobs, 600 of them consultants that you spent \$25 million more than you should have to hire. We brought them back in at that savings. Two hundred health and safety inspectors are protecting our workers in the field. We brought back in 100 meat inspectors that you had taken out of the public service, to ensure that the health and safety of the people of Ontario is protected. Those are good investments for the taxpayers, including the \$25 million we saved that you were wasting every single day.

**Mr. Runciman:** A lot of your backbenchers could hurt themselves lifting this.

Minister, according to your own records, this year your government has spent approximately \$340 million more in ministry and bureaucratic salaries than it did last year. That's money that could have been used for more



police officers or for shortening waiting lists in the health care sector. Taxpayers are paying to satisfy your government's appetite for more and more government, while we're getting less and less in return.

How can you justify an increase of roughly \$340 million in big government salaries? How can you justify the significant increase in government bureaucrats? How can you justify these big, big numbers in this big, big government that you're growing at the expense of taxpayers of the province of Ontario?

**Hon. Mr. Phillips:** You're just making the numbers up again. I would say to the people of Ontario: 1,800 more jobs, 600 of them consultants on whom you were spending \$25 million a year more than you needed to spend.

You mentioned our police, security and probation and parole officers: Two hundred and thirty of that 1,800 are those people; 130 are people designed to fix the challenges of getting our birth certificates out on time; 120 are for safe drinking water and nutrient management, a good investment; 200 are health and safety inspectors; and 100 are meat inspectors. These are good investments for the people of Ontario.

I would say it takes a little bit of nerve, when you spent \$25 million a year more than you should have to hire high-priced consultants when our talented public service can save \$25 million and do that job. That, I think, is a good investment of taxpayers' dollars.

**The Speaker (Hon. Michael A. Brown):** New question?

**Mr. Runciman:** Again, to the Minister of Finance: In addition to your addiction to a larger and larger bureaucracy, we saw last week that you and your government have also taken it upon yourselves to dramatically increase the size of everyone's bank account as well. Under the McGuinty Liberal watch, the number of people on the provincial payroll making more than \$100,000 has increased by a whopping 20% in just one year. The number of ministry staff making more than \$100,000 is up a giant 17%, again, in just one year. Minister, how can you justify such huge increases in such a very short period of time?

**Hon. Mr. Duncan:** To the Minister of Government Services.

**Hon. Mr. Phillips:** Again, I say to the public, recognize that for two years many of our senior people had their salaries frozen from the time we came in; that is part of the reason. I would say also that you should recognize that there are fewer people making over \$100,000 as a percentage of our workforce than in 2002, the last full year that you had in office. As I say, many of these people are those who have had their salaries frozen for the last two years. They got a reasonable increase, roughly 4% to 5%, and that is what has brought them over \$100,000.

The last thing I would say is that the average salary paid to people making more than \$100,000 has actually dropped slightly. So I would just say to the member that in 2002, the last year you were fully in office, a larger

percentage of the public service was actually making more than \$100,000 than in the year we are seeing reported here.

**Mr. Runciman:** That's scary. We have a minister in a financial portfolio using that as justification, when they're putting more people onto the \$100,000 list and then saying, "The average dropped a little bit."

Minister, it doesn't take stats 101 to realize that your big fat government is getting richer and richer on the backs of ordinary Ontarians, with no results to show for it. I point out to the minister that the average wage in Toronto, our richest city, is only \$35,000 a year. Now what you've done here is boosted the \$100,000 club by 20%. People truly deserve to be making three times the average Toronto salary? Within the ministries alone, you've added more than 400 people to the \$100,000 club. What results can you display for us here today that would justify these huge increases? Stand up and justify them, Minister.

**Hon. Mr. Phillips:** I would say that we are looking at peace and stability in our education system, and we're looking at smaller classes and marks going up. In terms of health care, we're looking at shorter waiting lists. A dramatic number of our hospitals—140 hospitals, I think—are now in with their plans for balancing their budgets. We are making significant improvements in health care, education, the environment and our economy. Those are the results the province of Ontario is looking for, and those are the results we're achieving. We're achieving them with a very dedicated public service, and I'm very proud of them.

**Mr. Runciman:** I hope the minister's writers are not in the \$100,000 club, because they're not earning their salary.

Only the McGuinty Liberal government would allow a 50-cent TTC fare increase in one year and, at the same time, watch over a 41% increase in the number of TTC employees making more than \$100,000 a year. That's McGuinty Liberal results for you. Only the McGuinty Liberals would charge taxpayers almost \$700 million for a subway that won't be built for years and then sit back and watch while the fares go through the roof again. That's McGuinty results. This is the way the McGuinty government operates: You take more and more from Ontarians and deliver less and less in return. That's a fact.

Minister, why is your fat and bloated government adding to the \$100,000 club so rapidly and delivering so little in the way of results?

**Hon. Mr. Phillips:** Again, I repeat to the public what I said earlier—you have to deal with some facts here, I say to the official opposition. Again, 1,800 additional people—I've already enumerated for you where the bulk of them come from, including 600 consultants' jobs that were brought in-house at a saving of \$25 million.

I would just say again that if you look at managing the finances, the Premier's chief of staff is paid 20% less than the former government's chief of staff; the policy director, 14% less than the previous government's. We're not spending \$300,000 a year on a communications



consultant for the Ministry of Health. We are looking after the taxpayers' dollar, making sure that every cent of it is accounted for, and finding ways to deliver quality service in the most cost-effective manner, including, I repeat to the public, \$25 million a year for outside consultants brought back in-house—

**The Speaker:** Thank you. New question.

#### HYDRO ONE

**Mr. Howard Hampton (Kenora–Rainy River):** My question is for the Minister of Energy. In the last election, Dalton McGuinty promised people across Ontario that he was going to freeze hydro rates, but in your first two years, the Premier told working families to bite the bullet and pay more for electricity. Very soon, the McGuinty government is going to tell working families to bite the bullet again and face another double-digit increase in hydro rates.

My question is, when people are having a tough time paying the bills, how does the McGuinty government, the sole owner and shareholder of Hydro One, justify a \$500,000-a-year pay increase for Hydro One's boss?

**Hon. Donna H. Cansfield (Minister of Energy):** I would like to thank the member for the question. The member is well aware that salary rates for employees are actually made by the boards themselves and not by the government. Having said that, I think it's reasonable to have a conversation with those boards to understand fully how they arrived at those salaries. I am sure that's exactly the same conversation that the leader of the third party had when he was in cabinet when the chairman of the board back in 1993 made \$500,000 and certainly spent a great deal on his travel and relaxation, vacations, cars and any number of things.

I'm quite prepared to have that conversation, and I will. I have made the calls to the various boards, and I will sit down with them around how they make their salary determinations.

1430

**Mr. Hampton:** Minister, I want to recite some of Mr. Parkinson's achievements over the last year. He managed to lock out Hydro One's engineers at a time when the transmission system was under stress—for three months they were locked out; he managed to drive up hydro rates; and he managed to get caught using the Hydro One helicopter for personal joyrides to and from his cottage.

We believe Mr. Parkinson's pay package should be reviewed and reduced, so my direct question to you, Minister, is, are you prepared to order a review and reduction, or does the McGuinty government stand behind Mr. Parkinson's outrageous \$500,000-a-year pay increase?

**Hon. Mrs. Cansfield:** I really do understand where the leader of the third party comes from. For example, I know that when he had that particular Ontario Hydro CEO, he alone spent something like \$1,000 just on a chauffeur when Clinton was there, for his inauguration. He had \$94,000 worth of expenses. So I'm well aware of exactly where he is coming from.

I indicated that I will sit down with the chairs and the boards who have the responsibility. I also would like to remind the member that in fact it was this government who extended the salary disclosures to the electrical sector, because the previous government had a provision where they did not have to disclose. So I'm quite prepared to sit down and have a conversation with the board who is charged with the responsibility of determining those salary remunerations. I indicated I will do it, and I will do it.

**Mr. Hampton:** Unlike the McGuinty government, I'm interested in more than just talk. When a certain Dalton McGuinty was over here, this is what he used to say: He used to question the pay increases for Eleanor Clitheroe. He used to question, for example, the \$172,000 for vacation pay or \$175,000 for a car allowance. But apparently, now that Dalton McGuinty is over there, these kinds of pay hikes are okay.

My question, again: Were you and Dalton McGuinty just insincere? Didn't you mean any of the things you said when you were over here? Or are you going to review and reduce this outrageous \$500,000-a-year pay increase when literally hundreds of thousands of Ontarians are having trouble paying their hydro bills?

**Hon. Mrs. Cansfield:** As I indicated, I'm well aware that the leader of the third party is concerned, because in fact he approved \$94,000 worth of expenses for Mr. Strong when he was CEO, for that car and the chauffeur and, I think, \$58,000 in airline tickets. So I'm well aware of where he comes from.

I have indicated that I'm quite prepared to sit down with the board who's been charged with the responsibility and have that conversation with them. I don't think there's any difficulty in ensuring that there is some transparency around the process. That's why we did open that up through legislation, so it wasn't hidden anymore. Because for so many years it was hidden, and now it's open and transparent.

I repeat, I am quite prepared to sit down with the board. I will sit down with the board, and I will do it. When it comes to others within that sector, I would like to remind the member that many of those salaries at the level above \$100,000 that are reported are actually negotiated salaries that I'm sure he wouldn't want—

**The Speaker (Hon. Michael A. Brown):** Thank you. New question?

**Mr. Hampton:** To the Minister of Energy again: Minister, maybe you need another briefing, but we were always able to find out the salaries of people at Hydro One and OPG because they had to file them with the Ontario Securities Commission. That's how Dalton McGuinty got the information, right? So you can blah blah about that all you want.

The question is this: At a time, for example, when the McGuinty government says you don't have any money for poor kids, at a time when you say you have to continue to claw back \$1,500 a year from the poorest families in this province, how do you justify a \$500,000-a-year pay increase for somebody who got caught using



the government Hydro One helicopter to fly back and forth to his cottage?

**Hon. Mrs. Cansfield:** I'm quite prepared to sit and have the conversation. Actually, I believe Mr. Bob Rae is on that board of Hydro One. I'm quite prepared to have the conversation as to how he made those determinations.

*Interjections.*

**The Speaker:** Order. Minister.

**Hon. Mrs. Cansfield:** We did in fact enable that there would be full disclosure so that somebody didn't have to file for it, that in fact anybody over the \$100,000 salary in the electricity sector was automatically put on. So although the member would like to suggest that it's otherwise, the fact of the matter is, we made it far easier for people to have full disclosure.

I think I have said this three times, but I'll repeat it again in case the member didn't quite understand it: I will sit down with the boards and chairs of the various entities and agencies and have a conversation as to how their compensation committee actually came to the remuneration policies that they have in place.

**Mr. Hampton:** Minister, I'm not interested in your personal conversations; I'm interested in what the position is of the McGuinty government.

Here's the reality: For the poorest kids in Ontario, they've had their incomes cut by over 40% over the last 10 years, and the McGuinty government is complicit in that.

Meanwhile, this is what the McGuinty government has had for Mr. Parkinson: \$780,000 a year in base pay, \$702,000 in bonus pay, \$129,630 a year in undisclosed perks—I guess maybe those are the golf memberships—and a \$125,000-a-year subsidy of his mortgage on his home.

Minister, when you have that kind of largesse for a Hydro One boss who hasn't been doing a very good job, who got caught using the company helicopter to take him back and forth to his cottage, why don't you have just a little bit of money for the poorest kids in Ontario?

**Hon. Mrs. Cansfield:** Although I have not been in this House long, trust me; I was around for the social contract, so don't talk to me about what that member of the third party did for kids in this province, for the public employees in this province and for the teachers in this province.

The folks across the way like to take a lot of credit, but those things came out of your government, all of the problems that we've suffered in that education sector. So don't go huffing and puffing to me about poor families; you wouldn't know one.

I'm telling you that in fact we will sit down with the boards, the chairs, and have that discussion. He's well aware that it's the same process that Maurice Strong had for compensation when he was in government; there is no difference. We will do it exactly, we will make it transparent and we will talk about how they got to where they are.

**Mr. Hampton:** Except, Minister, I remember Dalton McGuinty over here, so holier-than-thou, so earnest in

his denunciation of these kinds of pay increases. Now what do we see under the McGuinty government? Huge pay increases for someone who was found literally using public equipment at the private trough. We see a Hydro One executive who frankly is getting a gargantuan pay increase. Meanwhile, the McGuinty government says to the poorest kids in the province, "We're going to continue to take \$1,500 a year out of your pockets."

Don't tell me about more of your personal conversations. I want to know this: How does the McGuinty government justify this shameful double standard—outrageous pay and perk increases for the Hydro One executive, and broken promises and empty words for Ontario's poorest kids?

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**Hon. Mrs. Cansfield:** I thank the member for the question. When you think back over the number of years and the lack of policy, the lack of generation, the lack of virtually anything when it came to electricity in this province—no planning, no strategy, no generation, no transmission, 40% increases in rates, social contracts—he actually has the audacity to suggest that everything was wonderful under his regime and has not listened to what I have said. I am quite prepared to sit down and talk to the boards. The boards have the responsibility, the same as they did under the third party or as they did under the previous government, with the salary compensation. They have a compensation committee. They have put it together and they make good decisions. Based on that, I will have the discussion with the agencies and with the chairs. I have said it now five times. I am quite prepared to sit down and have those conversations, and I have every intention of doing so.

#### LONG-TERM CARE

**Mrs. Elizabeth Witmer (Kitchener-Waterloo):** My question is for the Acting Premier. On September 16, 2003, your Premier said, "When it comes to our seniors, we're not putting out some gimmick or bogus promise. We've got a genuine commitment.... It's all about improving ... home care and ... nursing home care." He promised \$6,000 in personal care for every resident in a long-term-care facility. You have now broken that promise, according to the Ontario Association of Non-Profit Homes and Services for Seniors and the Ontario Long Term Care Association. When are you going to keep that promise?

**Hon. Gerry Phillips (Minister of Government Services):** Seniors are obviously crucial to this government and, I think, to all members of the Legislature. I would just remind ourselves that since we did get elected in 2003, we have been making some very good progress. We have increased funding for staffing by \$191 million. We've increased funding for this upcoming fiscal year, the one that starts right now, by \$155 million. We've increased funding for long-term-care beds by \$340 million. We've given residents' councils much greater say in long-term-care homes.



We have been making significant investments in this area. I've just outlined for you \$191 million, \$155 million and \$340 million. So I guess the response to the member of the official opposition is, we have been making significant progress with significant investments in this crucial area.

**Mrs. Witmer:** It is the residents, it is the family council members, it is the staff who are saying that there is an ever-increasing need for additional financing. In fact, of the commitment you made—\$6,000 extra—you've only provided \$2,000. They need 20 minutes of additional care in order to meet these complex needs. Many of these people have dementia. They are demanding that you provide more money in order that they can have 20 minutes of additional personal care time for each resident. I ask you today, are you prepared to help these residents who need help getting up, shaving, toileting and getting to the dining room in order that they can have a quality of life and the dignity that they deserve? Or are these people simply paying more, like everybody else, and getting less?

**Hon. Mr. Phillips:** You can say that, but it doesn't make it fact. The fact of the matter is that as a result of the \$191 million I just talked about, there are 2,000 more staff performing services for our valued seniors, including, I might say, 600 nurses. That's by March 31, 2006, which was just a few days ago. So we are making investments and we are doing more with these investments.

Finally, I would just say to the public: Recognize that the party that's asking this question has committed to cutting \$2.4 billion out of our health care budget. It can't be done. You can't say, "Increase services. Do more for our seniors," and then cut \$2.4 billion out. I must say, it's the same party that raised fees on long-term-care residents by 15% on Canada Day long weekend. We won't do that. We will value our seniors and make the necessary investments to ensure they have dignity and care in their age.

#### EDUCATION FUNDING

**Mr. Rosario Marchese (Trinity-Spadina):** To the Acting Premier: Your Minister of Education bragged in this House that funding for students with ESL has increased. Can you explain why an unprecedented number of Ontario students with ESL needs have no English-as-a-second-language teacher?

**Hon. Gerry Phillips (Minister of Government Services):** Again, this is related. The agreement that my colleague Mr. Colle reached with the federal government to ensure that there was additional funding for people who arrive here in this province, I think, will be very helpful in the English-as-a-second-language program. We have, as I think the member knows, put substantial additional resources into education. We do rely on the school boards to make sure that they provide the necessary services. We work co-operatively with the school boards in the province of Ontario.

So there are two things I've talked about: substantial increased funding and the agreement that my colleague

reached with the federal government on new services for our newcomers. Both of those things, we hope, are providing those services. If they're not, my colleague—who, by the way, is not here today because there's an illness in the family—

*Interjection.*

**Hon. Mr. Phillips:** Well, typical of the leader of the third party.

He was scheduled to arrive here and left just a little while ago to go home to an illness in the family. Both of those things—

**The Speaker (Hon. Michael A. Brown):** Thank you.

**Mr. Marchese:** Minister, I would say this: If the Minister of Education were not so distracted by his national aspirations, he would know, and you would know, that 71% of Ontario's ESL students live within the GTA, yet half of these schools have no ESL teachers. In fact, People for Education reports that the number of students forced to do without ESL teachers has increased since he became a minister.

I know that you don't want to hear it—and many other people don't want to hear it, because the Tories did not have a great record on anything—but children with ESL needs were doing better under the Conservatives, and the charts by People for Education over the last seven, eight, nine years prove it. When will you fix the funding formula so that these struggling children will get the support they need?

**Hon. Mr. Phillips:** It is an important area. Again, just so the public is aware of the facts in the case, since we came into office, we have increased funding for ESL, the English-as-a-second-language program, by \$64 million. Overall funding for the ESL program is projected to be \$220 million, which is an increase of 20% in ESL funding, English-as-a-second-language funding, since we took office. We've expanded our support for these programs by increasing the funding generated for eligible students to cover four years instead of three.

It's an important area, and because it's important, we have made that 20% increase in funding since we took office less than three years ago. It's up by \$64 million. These are not insignificant amounts of taxpayers' money designed to make sure that we provide the necessary English-as-a-second-language services. So I'm proud of the investment we have made. Obviously, we'll continue to look at ways we can do it even better, but a 20% increase in funding is not insignificant. I think it will be very helpful in that program.

#### TOURISM

**Mr. Kim Craitor (Niagara Falls):** My question is directed to the Minister of Tourism. Minister, as you know, tourism is of vital importance to Ontario and, in particular, to my riding of Niagara Falls. It is for this reason I've been following the US government's western hemisphere travel initiative quite closely. If it comes into effect, this proposal would make it mandatory for any persons entering or re-entering the United States to carry



a passport or, potentially, a single-purpose travel card. Business owners and tourism industry partners in my riding have serious concerns about the implementation of this policy by the US government.

I understand that Prime Minister Harper met with President Bush last week in Mexico. According to newspapers over the weekend and today, the Prime Minister has acquiesced to the passport proposal. In fact, the mayor of Niagara Falls, Mayor Salci, and the mayor of Niagara-on-the-Lake have expressed their concerns. Minister, my question is, what is the impact of the Prime Minister's statement in Cancun on Ontario's tourism industry?

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** Thank you very much to the member. I understand his concern, and I think all members from the Niagara region, where I'm from, for instance—I was astounded and dismayed that the Prime Minister would capitulate so quickly, would run up the white flag on this issue. This province, this Premier, myself, I'm sure all members of this Legislature, have been fighting to avoid this particular devastating effect on our tourism industry.

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According to the Canadian Tourism Commission, Canada could stand to lose 7.7 million US visitors between 2005 and 2008, and \$1.8 billion in tourism revenues, should this policy be implemented. I thought the Prime Minister had a special relationship with President Bush. I thought that, as his campaign slogan said, he was going to stand up for Canada. Instead, we see the complete acquiescence, not to the United States' position but to the position of the President of the United States. You and I both know that, all along the border, there are people on both sides of the border who are adamantly opposed to this particular stance that the Prime Minister has taken. I'm sure they will—

**The Speaker:** Order. The supplementary.

**Mr. Craitor:** Minister, this is obviously an important issue, not only to my riding but to every riding in Ontario. In fact, you and I have had the pleasure of meeting with a number of the politicians on the American side to express our concerns about this proposal.

As you pointed out, in my riding we have a large number of Americans coming for day or overnight stays. People come into Ontario not only for an extended vacation but also for events such as festivals, sporting events or shopping. Minister, according to the US Department of State, only approximately 25% of American citizens have a valid passport. Having to incur the cost of a passport or other singular travel card would be a huge deterrent for overnight tourists to Ontario. Given the Prime Minister's misstep in Cancun, what can we do in Ontario to protect our tourism industry?

**Hon. Mr. Bradley:** You can be assured that one of the things that we'll be doing is drawing to the attention of the federal minister responsible for tourism under the Prime Minister that this is a misstep, as you have characterized it.

You know, I thought we were making some considerable progress. I met with Governor Taft of Ohio a couple of weeks ago here in Toronto. He was certainly on-side with Ontario. The Great Lakes governors are concerned about this. I was just informed that there was a meeting in the United States of governors of all the bordering states who are taking the same stance that Ontario is taking.

I know this doesn't affect Alberta, the home province of the Prime Minister, as much, but it certainly has a devastating effect in Ontario. I'm sure that the federal finance minister and the federal Treasury Board president, both of whom sat in a previous cabinet, and the Minister of Health nationally will be giving a spanking to the Prime Minister for totally capitulating to the US president on an issue which is so important to the people of the province of Ontario.

## HEALTH PREMIUMS

**Mr. John Yakabuski (Renfrew-Nipissing-Pembroke):** My question is for the Acting Premier: I've raised this issue with the Minister of Health by letter, verbally and in this House before. As you would be well aware, members of the military and RCMP are specifically excluded in the Canada Health Act from the definition of "insured person" with respect to provincial health care. Yet your government, since instituting its punitive health tax in May 2004, continues to charge members of the military a premium for health services that they are categorically not eligible to receive. The federal government provides all health care for the military. Will you commit today to stop punishing the members of our armed forces and our RCMP with this punishing health tax just to bloat your government more?

**Hon. Gerry Phillips (Minister of Government Services):** Certainly I can speak on behalf of the Minister of Health that we want to make certain we treat everyone fairly and equitably. I am aware that the Minister of Health is looking into this matter. I believe it's probably not a totally simple matter in terms of the solution. I will undertake what I think he has undertaken here in the House, and that is to make sure that we treat everyone fairly and equitably, all people, but our armed forces in particular. I can assure you he's looking into it and I can assure you that when he's completed his look at it, he'll be back to the Legislature with a response.

**Mr. Yakabuski:** May 2004 to April 2006: It's just about two years. How much more looking does he have to do? In Alberta and British Columbia, where they also charge health premiums, RCMP personnel and military personnel are exempt. It doesn't take much looking into.

You talk about being equitable. When will you treat the people of our military and the RCMP with some fairness and stop this pay more, get less? For the military, it's pay more, get nothing.

**Hon. Mr. Phillips:** Again, I would say it's extremely important that we treat all people fairly and equitably. I repeat, the Minister of Health has agreed to look into this



matter. Some of these matters are not quite as simple as they sometimes appear here in the Legislature.

I will do what I undertook to do in the first part of this question, and that is to ensure that the Minister of Health is looking into it, that we find a fair and equitable solution and that we report that back to the Legislature. I undertake to do that, and I'm sure the Minister of Health will look after that.

### AUTISM TREATMENT

**Ms. Shelley Martel (Nickel Belt):** I have a question for the Minister of Children and Youth Services. On Saturday, I joined families and friends of autistic children to mark the one-year anniversary of Justice Kiteley's decision. In that decision, she found that your government had violated the charter rights of autistic children on the bases of disability and age, that your Minister of Education had violated the Education Act by failing to have appropriate services in place for autistic children and that it had also failed to direct school boards to provide IBI in schools.

One year later, there are hundreds of autistic children who languish on waiting lists, waiting for treatment. There are hundreds more who can't get IBI in the classroom because your government refuses to direct school boards to provide this. In light of the \$3-billion windfall that your government had this past fiscal year, how is it that even one autistic child is on a waiting list, desperate for treatment?

**Hon. Mary Anne V. Chambers (Minister of Children and Youth Services):** I'm very pleased to have the opportunity to address this issue. There is no question that there are wait lists for autism therapy, for IBI. I should tell you, however, that we have made significant progress. In April 2004, there were about 530 kids receiving IBI; by December 2005, there were over 700 kids receiving IBI therapy. Is there more to be done? There certainly is more to be done.

We have also stepped up the pace in terms of assessments. We are assessing kids much more quickly than we used to. Again, is there more to be done? Yes, there is more to be done. I'm very pleased that since we have been elected to govern, we have more than doubled spending on autism-related services.

I look forward to the supplementary.

**Ms. Martel:** Here's the reality: At the end of March 2005, there were 399 autistic children who qualified for treatment and who were on a waiting list. There were over 200 more who were still waiting for assessment to determine if they were qualified. Between those waiting for an assessment and those waiting for treatment, more children were not receiving treatment than were. In the face of that, this minister diverted \$2 million to children's protection services instead of putting that money into IBI treatment. Now we have a scenario, a year later, of hundreds more children on a waiting list who qualify for treatment and can't get it, hundreds who are waiting for an assessment and hundreds more who were cut off

by your government from IBI when they turned six, despite your election promise, and are still waiting to get their treatment reinstated.

Minister, your government had a \$3-billion windfall. How is it that any autistic child in this province is waiting for treatment either in or out of school?

**Hon. Mrs. Chambers:** The member, as unfortunately often is the case, is somewhat less than accurate in her accusations. It really doesn't matter how much she pretends to be sincere about this, her sincerity pales when we compare it to what we have been doing as a government. We have more than doubled spending. In the past year, we have spent approximately \$95 million on autism-related services. We are positioned to spend even more than that this year.

The reason why the wait lists are longer now is because no child is being denied services because of their age. The message that she is giving is misleading and very, very unfortunate, because—

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**The Speaker (Hon. Michael A. Brown):** I need you to withdraw that.

**Hon. Mrs. Chambers:** I withdraw, Mr. Speaker. But you know—

**The Speaker:** Thank you.

**Ms. Martel:** Why don't you tell the truth, Minister?

**The Speaker:** The member for Nickel Belt needs to withdraw that comment.

**Ms. Martel:** I withdraw the comment.

**Mr. Norman W. Sterling (Lanark-Carleton):** On a point of order, Mr. Speaker: As you know, I am the chairman of the public accounts committee, and I can say that the member from Nickel Belt has more knowledge on this than any MPP in this Legislature.

**The Speaker:** New question.

### ENERGY RATES

**Ms. Caroline Di Cocco (Sarnia-Lambton):** My question is for the Minister of Energy. There's speculation that Ontario's energy rates will be rising, as they are in North America and across the world. Energy keeps the lights on and it heats our homes. It's not something we can choose to live without; it's a necessity. My constituents are concerned about the rising energy costs and what they could mean to their monthly energy bill. Minister, can you explain these rising energy costs in the context of other jurisdictions in North America?

**Hon. Donna H. Cansfield (Minister of Energy):** I thank the member for the question. I also would like to thank the member for the work that she does on behalf of her constituency and working with me around energy-related issues in particular.

There's no question that energy prices are going up. They're going up right across North America. We saw the increase in natural gas: \$14 US in September, \$15 US in December. We know that the price caps have come off in the United States. On April 1, they had increases that were virtually anywhere from 10%—in one case in one



of the states, they were anticipating as high as 117%. So we know. In terms of our competition, places like Massachusetts are at 32%. We have 40% in another, and they are rising.

However, what we've done is put in place the Ontario Energy Board, which looks at regulated price plans on a year-to-year basis. We took off the cap that was artificial at 4.3 cents, and we—

**The Speaker (Hon. Michael A. Brown):** Thank you. Supplementary?

**Ms. Di Cocco:** The Ontario Energy Board is not a household name. When people get their energy bills, they'll see the name of the local distribution company, not that of the Ontario Energy Board. Yet I understand it's the Ontario Energy Board that sets the energy price in the province. With all this talk of energy prices increasing, could you explain how the Ontario Energy Board determines the price of power?

**Hon. Mrs. Cansfield:** The Ontario Energy Board is the regulatory board charged with the responsibility of determining the price for the next year. They look at all of the sources of generation over the period of the year, forecast what that price will be, and then they set the prices. As you recall, last year it was 5.0 cents and 5.8 cents for 750 kilowatts and 1,000 kilowatts, and then reversed in the winter months.

So the Ontario Energy Board has the opportunity to work with the local distribution companies to reflect the needs in that community. They have to apply to the energy board for a rate increase or, in some cases, a decrease. It is the Ontario Energy Board that then looks at what supply is in the generation and how all the generation is mixed, and then forecasts that out for the next year. They in fact have been charged with that responsibility and will be coming out with their forecast by May 1.

#### AGRICULTURE FUNDING

**Mr. Toby Barrett (Haldimand-Norfolk-Brant):** To the Minister of Agriculture, Food and Rural Affairs: Minister, in estimates you said that CAIS is not working and that long-term dollars were needed. That was six months ago. Last week you cut the ag budget 21%; this week you've increased the ag ministry staff, the \$100,000-a-year club, by 11%. Minister, you've given your staff long-term funding. When will you be giving farmers long-term funding?

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** Wrong information.

**Hon. Leona Dombrowsky (Minister of Agriculture, Food and Rural Affairs):** I'm happy to have this opportunity to state again that the budget at the Ministry of Agriculture, Food and Rural Affairs has increased this year with respect to the support that has been requested by farmers and the support that has been given by this government. They have asked for a multi-year partnership with the federal government. The budget document makes it very clear that we are prepared to enter into that.

In the short term, it became clear as well that the federal government was not going to provide the support, so we provided \$125 million to farmers as a show of good faith, which they asked for. They asked the Premier and myself. So that is the commitment to date. I have said to farmers that we are at the ready when the federal government is ready to come to the table to establish a multi-year partnership, which is exactly what they need to inspire stability and sustainability in this industry.

**Mr. Barrett:** Minister, my point was that staff in your ministry making over \$100,000 a year have gone up 11%, funding for grain and oilseeds is going down 52%, and you've just told us and the farmers to go to the federal government. We are going to Ottawa. We're going to Ottawa this week. One question: Minister, are you going to Ottawa to be with the farmers? I know that you have been at the table with other ag ministers.

Another question: Specifically how many \$100,000-a-year bureaucrats does it take to draw up a risk management program, or are we simply paying more and getting less?

Minister, my question: Do you now have a plan for risk management, a plan for a program for us to take to Ottawa this week?

**Hon. Mrs. Dombrowsky:** What I have committed to the agriculture community is a response to what they've asked for. They've asked for a multi-year partnership with the federal government. In terms of what that plan is going to look like, I expect that the stakeholders are going to have a lot to say, a lot of advice for us, when we meet together with our federal colleague. I heartily say that you can invite partnership when you go with a deal and say, "This is what it's going to look like."

The province of Ontario has made it very clear. I believe we've taken a leadership role, when you consider where other provinces are in Canada, in that we have come to the table. There is money there. We made it very clear that we believe there needs to be a multi-year strategy, that the stakeholders have a very key role to play in helping us shape that strategy and that it must have the participation of the federal government if it's going to be viable at all. That is the consistent message we've had time and time again. Our government is—

**The Speaker (Hon. Michael A. Brown):** Thank you. New question, the member for Timmins-James Bay.

**Mr. Gilles Bisson (Timmins-James Bay):** Farmers are going broke every day.

#### COLLÈGE BORÉAL

**M. Gilles Bisson (Timmins-Baie James):** Ma question est pour le ministre de la Formation et des Collèges et Universités. Vous savez que le Collège Boréal à Timmins a fait une soumission avec votre ministère pour construire un édifice permanent afin de situer le Collège Boréal. Vous savez que, présentement, le Collège Boréal à Timmins est situé dans un édifice où ils louent, et que c'est complètement inadéquat, comme certains de vos ministres le savent—M. Ramsay, M. Bartolucci et



d'autres qui l'ont visité—que cet édifice n'est pas bon pour les étudiants de ce collège et pas bon pour l'expansion nécessaire pour offrir les programmes nécessaires dans ce collège.

On a une question très simple. La communauté est là. Le collège a fait son ouvrage. La communauté vous a envoyé 600 lettres. On vous demande aujourd'hui, quand est-ce qu'on peut s'attendre à une annonce positive pour commencer la construction du Collège Boréal à Timmins?

1510

**Hon. Christopher Bentley (Minister of Training, Colleges and Universities):** I thank the member for the question. With respect to the suggestion about a new campus in Timmins, I've spoken to quite a few people about that, including the present president of the Collège Boréal, the previous president of the college, my colleagues such as Minister Ramsay and of course the minister responsible for francophone affairs, Madeleine Meilleur, and about the present state of facilities up there.

We've done a couple of things. First of all, I've had discussions with respect to Collège Boréal's ideas throughout the province and its plans for the province, which include a larger platform in the greater Toronto area as well as improved facilities throughout Ontario.

We've also had discussions with the president of La Cité in order to figure out how we can offer more francophone education to students throughout Ontario in our college system. So we've got several discussion going on, one about the operating strength of the two colleges—we want to ensure an even stronger future; we're having those discussions at the moment—and the second about new capital plans for the colleges. The capital plans need to follow the operating discussion. I'll have more to say about the two after I hear the supplementary.

**M. Bisson:** Monsieur le ministre, ce qui est clair est que l'ancienne présidente, Gisèle, et le présent président vous ont parlé. Oui, ils vous ont parlé, vous avez parlé, mais ce que les autres attendent est une réponse.

Ce qui est clair est que la situation à Timmins est inadéquate. On est dans une situation où c'est très difficile pour le collège d'être capable d'opérer, numéro un, mais numéro deux, d'être capable d'offrir les programmes nécessaires aux étudiants, d'être capable de renforcer ce collège et faire le succès qu'on sait ce collège peut avoir.

Donc, monsieur le ministre, très simplement, nous autres avons fait notre ouvrage. Le collège a fait sa soumission. C'est le seul projet qui a été mis en avant par le Collège Boréal. Le seul que vous avez situé au sud de la province était fait à travers Glendon. Le collège a fait son ouvrage. La communauté a fait son ouvrage. Vous savez que c'est un bon projet. C'est supporté par la communauté francophone et la ville de Timmins. Ma question : quand est-ce qu'on peut s'attendre à une annonce financière pour assurer la survie de ce collège?

**Hon. Mr. Bentley:** Once again, I look forward to going up to Timmins and speaking to the local com-

munity. We're working on several fronts to improve francophone education at the college level in Timmins, the surrounding area and throughout Ontario.

The first step is to have the discussion about the operating dollars and about how to ensure that students have access throughout the province. We're having those discussions right now with the presidents of both Boréal and La Cité.

It's important to ensure that we have a strong future for college education in French throughout Ontario. It follows from that discussion that we will have a conversation about capital plans and capital projects. There are a number, not simply in one community, and we want to ensure that the capital discussion follows the operating discussion.

This government, the McGuinty government, has committed more operating dollars for colleges. That means more opportunities for students in every language. We also have a separate access committee for French-language education that has already had some meetings and will have more. The future for French-language college education in Ontario looks very bright in Timmins and elsewhere.

## SMOKING CESSATION PROGRAMS

**Mr. Phil McNeely (Ottawa—Orléans):** My question is for the Minister of Health Promotion. It is often said that quitting smoking is one of the most difficult tasks someone will ever undertake, but many smokers feel that they lack the resources to properly embark on a cessation program.

Many feel that nicotine replacement therapy is the best way of weaning themselves off cigarettes, but it's often too expensive a method for your average smoker. Having lived with a woman who quit smoking at least 10 times, I would have to agree that it is the worst habit to stop. But she has been off cigarettes for 20 years now and her health is good.

Certainly our government has recognized, through the smoke-free Ontario legislation and related programs, that funds directed towards helping people to quit is money well spent, saving lives while protecting workers and preventing serious illness. Minister, are you considering adding nicotine replacement therapy to the government's cessation programs?

**Hon. Jim Watson (Minister of Health Promotion):** I want to begin by thanking the honourable member for Ottawa—Orléans, because he has taken a real interest in the Smoke-Free Ontario Act. As a result of his intervention in committee, power walls will soon be a thing of the past across Ontario. I thank the honourable member.

In January, I was pleased to help launch the STOP study, which is Smoking Treatment for Ontario Patients, with the Centre for Addiction and Mental Health. We've committed \$3 million from the smoke-free Ontario fund. In January, the Centre for Addiction and Mental Health used part of these funds to provide nicotine replacement therapy for 14,000 Ontarians.



The response was overwhelming. When the program was announced, their 1-800 toll-free number received over 100 calls a minute. So the vast majority of people who smoke in this province do in fact want to quit. We believe there is a role for the government of Ontario to provide the kinds of tools, such as nicotine replacement therapy, to help these individuals with their addiction.

**Mr. McNeely:** Minister, it is good to hear that the Ministry of Health Promotion is leaving no stone unturned when it comes to different approaches to smoking cessation, because every smoker will have different needs but many have the common goal of trying to quit. In terms of other methods of cessation, what programs does your ministry offer today to help smokers quit?

**Hon. Mr. Watson:** I'm very pleased to report that of the \$50 million, \$14 million is going to smoking cessation programs. I'm also very pleased to announce that we have a website. I'd encourage individuals who smoke and want help to quit smoking to go on to [www.smokershelpline.ca](http://www.smokershelpline.ca).

I'm also pleased to be part of a caucus and a government under the leadership of Premier McGuinty which is, quite frankly, doing more to help people who are smoking, to encourage young people not to smoke in the first place and to ensure that the Smoke-Free Ontario Act, which comes into effect on May 31, is going to be properly advertised and enforced.

It's regrettable that the Conservative Party—exactly half of their caucus either voted against the legislation or were not even here to vote for the legislation. I will side with the medical community, the Canadian Cancer Society, Heart and Stroke, and the Lung Association. I'll allow the Conservative Party to cozy up to big tobacco and the front people for the tobacco industry—

**The Speaker (Hon. Michael A. Brown):** Thank you. New question?

#### ONTARIO PUBLIC SERVICE

**Mr. Tim Hudak (Erie-Lincoln):** A question for the Deputy Premier. This weekend, headlines across the province screamed about the incredible bloat of government payrolls. One I can understand is John Corcoran, a polygraph examiner, who was paid over \$100,000. I can understand, because he is probably run off his feet with double overtime, keeping track of the Premier and his cabinet ministers. I can understand that one. But otherwise, Deputy Premier, there is great concern among taxpayers, who, I remind you, are paying over \$2,000 more per family in taxes, fees and costs than they did before Dalton McGuinty was elected.

Given this 23% bloat in government payrolls, specifically what controls are you going to bring in this year to make sure it doesn't happen again?

**Hon. Gerry Phillips (Minister of Government Services):** I'd just say to the public, when they use the 23% figure, recognize this: In 2001, when they were in government, the increase in people earning \$100,000 was 60%. Did you bring these great controls you're talking

about now? No. The following year, what was the increase? It was 60% before; it was 65%. Did you bring in these great controls? I just say to the public, recognize what we're dealing with here: a kind of bitter opposition that says, "Do some things we would never do."

What we are doing is making sure we manage the public service in a responsible way. We brought in roughly 600 consulting jobs that you were spending \$25 million a year more on than you should have.

I think the public expects us to manage things well. You had a 60% increase and a 65% increase in these numbers. You did nothing. We are managing the public service in a responsible way.

**The Speaker (Hon. Michael A. Brown):** This completes the time allocated for oral questions.

#### ANSWERS TO WRITTEN QUESTIONS

**The Speaker (Hon. Michael A. Brown):** On a point of order, the member for Simcoe—Grey.

**Mr. Jim Wilson (Simcoe-Grey):** With 7,200 more bureaucrats, you'd think the government could answer its order paper questions on time. We have a question to the Ministry of Natural Resources, standing in the name of Mr. Miller, that should have been answered weeks and months ago; there are four questions to the Ministry of the Attorney General, standing in the name of Mr. Runciman, that are overdue; and there are five questions to the Minister of Health and Long-Term Care, standing in the name of Mrs. Witmer, that have not been dealt with. Talk about getting less for more.

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**The Speaker:** I'm sorry. I did have some difficulty following which questions hadn't been responded to. I'm informed that many questions—or some questions, anyway—were responded to today. I can tell you that, from the list that I'm aware of, there are four questions that haven't been responded to, standing in the name of Mrs. Witmer, if that's satisfactory. I would like to remind the Minister of Health that you're required, under standing order 97(d), to provide answers to written questions within 24 sitting days, and the responses are now overdue. I would ask that you give the House some indication as to when the answer might be forthcoming, and I suspect it needs to come from the Acting Premier.

I'm wondering when we can expect the responses from the Minister of Health and Long-Term Care.

**Hon. Mr. Phillips:** I'll undertake, Mr. Speaker, to get back to you as quickly as possible, like today.

#### VISITORS

**Mr. Frank Klees (Oak Ridges):** On a point of order, Mr. Speaker: I would ask members of the Legislature to join me in welcoming five leaders of our faith community seated in the west gallery today: Pastor Douglas Sargeant, Reverend Don Meredith, Reverend Steve Chu, Mr. Matthew Gibbins and Pastor Albert Wai.



## SECURITY OF LEGISLATIVE PRECINCT

**The Speaker (Hon. Michael A. Brown):** On Wednesday, March 29, the member for Haldimand–Norfolk–Brant, Mr. Barrett, provided me with written notice of his intention to raise a point of privilege, as required by standing order 21(c). I would like to thank the member for giving me sufficient time to review this matter.

The member's point of privilege concerns security in and around the legislative precinct.

I wish to advise that I will be deciding on this matter without further hearing directly from the member at this time, as standing order 21(d) permits me to do.

I have carefully reviewed the member's written submission and cannot find that he has made out a *prima facie* case of privilege.

I want to note that the member and I have met personally to discuss this matter, and I've written to the member to provide clarification on certain points related to the issues he has raised. As this is a matter that lies within the administrative jurisdiction of the Speaker, I believe that this is an appropriate way to deal with this issue, and I want to thank the member for providing this opportunity to do so.

## PETITIONS

## ORGAN DONATION

**Mr. Jerry J. Ouellette (Oshawa):** The petition reads:

"To the Legislative Assembly of Ontario:

"Whereas" over "1,920 Ontarians are currently on a waiting list for an organ transplant; and

"Whereas the number of Ontarians waiting for an organ transplant has virtually doubled since 1994; and

"Whereas hundreds die every year waiting for an organ transplant; and

"Whereas greater public education and awareness will increase the number of people who sign their organ donor cards and increase the availability of organ transplants for Ontarians; and

"Whereas the private member's bill proposed by Oak Ridges MPP Frank Klees will require every resident 16 years of age and older to complete an organ donation question when applying for or renewing a driver's licence or provincial health card, thereby increasing public awareness of the importance of organ donation while respecting the right of every person to make a personal decision regarding the important issue of organ donation;

"Therefore be it resolved that we, the undersigned, respectfully petition the Legislative Assembly of Ontario to pass Bill 67, the Organ and Tissue Donation Mandatory Declaration Act, 2006."

I affix my name in support.

## LONG-TERM CARE

**Mr. Howard Hampton (Kenora–Rainy River):** I have a petition. It's to the Legislative Assembly of Ontario and it reads:

"Whereas long-term-care funding levels are too low to enable homes to provide the care and services our aging seniors and parents, who are residents of long-term-care homes, need, with the respect and dignity that they deserve; and

"Whereas, even with recent funding increases and a dedicated staff who do more than their best, there is still not enough time available to provide the care residents need. For example, 10 minutes, and sometimes less, is simply not enough time to assist a resident to get up, dressed, to the bathroom and then to the dining room for breakfast; and

"Whereas those unacceptable care and service levels are now at risk of declining;

"We, the undersigned, who are members of family councils, residents' councils and/or supporters of long-term care in Ontario, petition the Legislative Assembly of Ontario to increase operating funding to long-term-care homes by \$306.6 million, which will allow the hiring of more staff to provide an additional 20 minutes of care per resident per day over the next two years (2006 and 2007)."

This has been signed by a number of residents of the Kenora and Keewatin area, and I affix my signature as well.

**Mr. Kim Craitor (Niagara Falls):** I'm pleased to introduce this petition on behalf of Chateau Gardens in Niagara-on-the-Lake, a long-term-care facility. The petition reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas long-term-care funding levels are too low to enable homes to provide the care and services our aging seniors and parents, who are residents of long-term-care homes, need, with the respect and dignity that they deserve; and

"Whereas, even with recent funding increases and a dedicated staff who do more than their best, there is still not enough time available to provide the care residents need. For example, 10 minutes, and sometimes less, is simply not enough time to assist a resident to get up, dressed, to the bathroom and then to the dining room for breakfast; and

"Whereas those unacceptable care and service levels are now at risk of declining;

"We, the undersigned, who are members of family councils, residents' councils and/or supporters of long-term care in Ontario, petition the Legislative Assembly of Ontario to increase operating funding to long-term-care homes by \$306.6 million, which will allow the hiring of more staff to provide an additional 20 minutes of care per resident per day over the next two years (2006 and 2007)."

I'm pleased to sign my signature in support of this petition.



**Mr. John O'Toole (Durham):** Last week, I was pleased to visit the Strathaven Lifecare Centre. I met with Patrick Brown, the administrator, Stella Jackson and Sharon Courts. They presented me with a number of petitions.

"We, the undersigned, who are members of family councils, residents' councils and/or supporters of long-term care in Ontario, petition the Legislative Assembly of Ontario to increase operating funding to long-term-care homes by \$306.6 million, which will allow the hiring of more staff to provide an additional 20 minutes of care per resident per day over the next two years (2006 and 2007)."

I am pleased to sign and endorse that on behalf of my constituents in the riding of Durham.

### COMMUNITY MEDIATION

**Mr. Bob Delaney (Mississauga West):** I have a petition to the Ontario Legislative Assembly regarding community mediation. I'd like to thank especially Darcy MacCallum, Sara Syeed and Tarzia Ahmed for collecting some signatures for this petition. It reads as follows:

"Whereas many types of civil disputes may be resolved through community mediation delivered by trained mediators, who are volunteers who work with the parties in the dispute; and

"Whereas Inter-Cultural Neighbourhood Social Services established the Peel Community Mediation Service in 1999 with support from the government of Ontario through the Trillium Foundation, the Rotary Club of Mississauga West and the United Way of Peel, and has proven the viability and success of community mediation; and

"Whereas the city of Mississauga and the town of Caledon have endorsed the Peel Community Mediation Service, and law enforcement bodies refer many cases to the Peel Community Mediation Service as an alternative to a court dispute; and

"Whereas court facilities and court time are both scarce and expensive, the cost of community mediation is very small and the extra expense incurred for lack of community mediation in Peel region would be much greater than the small annual cost of funding community mediation;

"Be it therefore resolved that the government of Ontario, through the Ministry of the Attorney General, support and fund the ongoing service delivery of the Peel Community Mediation Service through Inter-Cultural Neighbourhood Social Services."

I am pleased to sign and support this petition and to ask page Olga to carry it for me.

### LANDFILL

**Mr. Norman W. Sterling (Lanark-Carleton):** "To the Legislative Assembly of Ontario:

"Whereas there is currently a proposal to more than double the size of the Carp landfill in west Ottawa; and

"Whereas this site has been in operation for some 30 years and had been expected to close in 2010; and

"Whereas the surrounding community has grown rapidly for the past 10 years and is continuing to grow; and

"Whereas other options to an expanded landfill have yet to be considered; and

"Whereas the municipal councillors representing this area, Eli El-Chantiry, Janet Stavinga and Peggy Feltmate, and the MPP, Norm Sterling, all oppose this expansion;

"We, the undersigned, support our local representatives and petition the Legislative Assembly of Ontario to ensure the Minister of the Environment does not approve the expansion of the Carp landfill and instead to find other waste management alternatives."

I would like to thank Barbara Keith for sending in many names of petitioners with whom I agree.

1530

### LONG-TERM CARE

**Mr. Pat Hoy (Chatham-Kent Essex):** "To the Legislative Assembly of Ontario:

"Whereas long-term-care funding levels are too low to enable homes to provide the care and services our aging seniors and parents, who are residents of long-term-care homes, need, with the respect and dignity that they deserve; and

"Whereas, even with recent funding increases and a dedicated staff who do more than their best, there is still not enough time available to provide the care residents need. For example, 10 minutes, and sometimes less, is simply not enough time to assist a resident to get up, dressed, to the bathroom and then to the dining room for breakfast; and

"Whereas those unacceptable care and service levels are now at risk of declining;

"We, the undersigned, who are members of family councils, residents' councils and/or supporters of long-term care in Ontario, petition the Legislative Assembly of Ontario to increase operating funding to long-term-care homes by \$306.6 million, which will allow the hiring of more staff to provide an additional 20 minutes of care per resident per day over the next two years (2006 and 2007)."

I've signed the petition.

**Mr. Jim Wilson (Simcoe-Grey):** I have this petition that was presented to me last Friday by the president of the resident council of the Sara Vista Nursing Centre in Elmvalle—I know they're watching right now—Andrew Dalrymple, who's the president, and Karen Locke, who's the administrator, and I thank them greatly.

"To the Legislative Assembly the Ontario:

"Whereas long-term-care funding levels are too low to enable homes to provide the care and services our aging seniors and parents, who are residents of long-term-care homes, need, with the respect and dignity that they deserve; and

"Whereas, even with recent funding increases and a dedicated staff who do more than their best, there is still



not enough time available to provide the care residents need. For example, 10 minutes, and sometimes less, is simply not enough time to assist a resident to get up, dressed, to the bathroom and then to the dining room for breakfast; and

"Whereas those unacceptable care and service levels are now at risk of declining;

"We, the undersigned, who are members of family councils, residents' councils and/or supporters of long-term care in Ontario, petition the Legislative Assembly of Ontario to increase operating funding to long-term-care homes by \$306.6 million, which will allow the hiring of more staff to provide an additional 20 minutes of care per resident per day over the next two years (2006 and 2007)."

Again, I thank the good people of Sara Vista Nursing Centre in Elmvale, and I agree with the petition.

### COMMUNITY MEDIATION

**Mr. Bas Balkissoon (Scarborough-Rouge River):**

In support of my colleagues from Peel region, I present the following petition to the Ontario Legislature:

"Support Community Mediation

"Whereas many types of civil disputes may be resolved through community mediation delivered by trained mediators, who are volunteers working with the parties in the dispute; and

"Whereas Inter-Cultural Neighbourhood Social Services established the Peel Community Mediation Service in 1999 with support from the government of Ontario through the Trillium Foundation, the Rotary Club of Mississauga West and the United Way of Peel, and has proven the viability and success of community mediation; and

"Whereas the city of Mississauga and the town of Caledon have endorsed the Peel Community Mediation Service, and law enforcement bodies refer many cases to the Peel Community Mediation Service as an alternative to a court dispute; and

"Whereas court facilities and court time are both scarce and expensive, the cost of community mediation is very small and the extra expense incurred for lack of community mediation in Peel region would be much greater than the small annual cost of funding community mediation;

"Be it therefore resolved that the government of Ontario, through the Ministry of the Attorney General, support and fund the ongoing service delivery of the Peel Community Mediation Service through Inter-Cultural Neighbourhood Social Services."

In support this petition, I'm glad to add my name to the list and have page Elyse present this to you.

### LONG-TERM CARE

**Mr. Bill Murdoch (Bruce-Grey-Owen Sound):** I have petition from the Country Lane long-term care residence in Chatsworth. Barbara Stott is their program man-

ager. It's a petition to the Legislative Assembly of Ontario.

"Whereas long-term-care funding levels are too low to enable homes to provide the care and services our aging seniors and parents, who are residents of long-term-care homes, need, with the respect and dignity that they deserve; and

"Whereas, even with recent funding increases and a dedicated staff who do more than their best, there is still not enough time available to provide the care residents need. For example, 10 minutes, and sometimes less, is simply not enough time to assist a resident to get up, dressed, to the bathroom and then to the dining room for breakfast; and

"Whereas those unacceptable care and service levels are now at risk of declining;

"We, the undersigned, who are members of family councils, residents' councils and/or supporters of long-term care in Ontario, petition the Legislative Assembly of Ontario to increase operating funding to long-term-care homes by \$306.6 million, which will allow the hiring of more staff to provide an additional 20 minutes of care per resident per day over the next two years...."

I've also signed this.

### SERVICES FOR THE DEVELOPMENTALLY DISABLED

**Mr. John O'Toole (Durham):** I have a petition I'd like to present on behalf of my constituents in the riding of Durham. It reads as follows:

"Whereas, without appropriate support, people who have an intellectual disability are often unable to participate effectively in community life and are deprived of the benefits of society enjoyed by other citizens; and

"Whereas quality supports are dependent on the ability to attract and retain qualified workers; and

"Whereas the salaries of workers who provide community-based supports and services are up to 25% less than salaries paid to those doing the same work in government-operated services and other sectors;

"We, the undersigned, petition the Legislative Assembly of Ontario to address, as a priority, funding to community agencies in the developmental services sector to address critical underfunding of staff salaries and ensure that people who have an intellectual disability continue to receive quality supports and services that they require in order to live meaningful lives within their community."

I'm pleased to support this and give it to Mark, one of the legislative pages. Where are you from, Mark?

**Interjection:** Sudbury.

**Mr. O'Toole:** From Sudbury.

### SOCIAL SERVICES FUNDING

**Mr. Tim Peterson (Mississauga South):** It's a great pleasure to stand and petition the Legislative Assembly of Ontario.



"Whereas the population of the region of Peel has been experiencing significant growth for the past 15 years, and it now has the ... highest growth rate in the province;

"Whereas demand for social services in Peel has exploded as a result of the population and other social changes; and

"Whereas provincial social services funding has not responded to the increases in population, and therefore, the people of the region of Peel receive 50% less funding on a per capita basis than the average provincial per capita funding for social programs;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ministry of Community and Social Services and the Ministry of Children and Youth Services correct the funding inequity in all of its social programs with new funding formulas that address population and needs."

I'm pleased to sign this petition.

**The Deputy Speaker (Mr. Bruce Crozier):** The time for petitions has expired.

#### MEMBERS' EXPENSES

**Mr. Norman W. Sterling (Lanark-Carleton):** On a point of order, Mr. Speaker: I wanted to raise a fairly simple point of privilege. As I understand, under standing order 21, you require an hour's notice. I gave you notice of the point of privilege about five minutes ago. I'd ask for unanimous consent to be able to raise it now, rather than an hour from now when we're in the middle of a debate.

**The Deputy Speaker (Mr. Bruce Crozier):** The member has asked for unanimous consent. Agreed? Agreed.

**Mr. Sterling:** This past weekend, I travelled about 500 or 600 kilometres in the area that I represent, Lanark-Carleton. Lanark-Carleton, the riding that I represent, takes in the west part of the city of Ottawa and all of Lanark county. If you look at the total size of the riding, it's about 200 kilometres by 200 kilometres. Therefore, it's necessary for me to travel a considerable distance to go from Carp to Smiths Falls to Perth to Fitzroy Harbour. These are distances that are quite significant.

I'm finding it increasingly difficult to make those trips in my automobile at the present level of compensation of 34.5 cents per kilometre. This relates to the fact that rural members are being dealt with, in some ways, in a different manner than those who represent urban areas, where their constituents are fairly closely aggregated in one smaller geographic area.

1540

My point of privilege is this: I believe that all members of this Legislature are supposed to be given the same kind of resources in order for them to be able to represent their people. Because of the fact that the recovery of costs, at 34.5 cents per kilometre, was struck about five

years ago, when gas costs were about half of what they are at the present time, and there have been increased insurance costs, I think rural members on all sides in this Legislature are finding it increasingly difficult to afford a car, to make the payments on the car, to make their insurance payments and to buy the fuel necessary for that particular car.

Therefore, Mr. Speaker, I would ask you, as Chair of the Board of Internal Economy, to raise this issue with the board. I would also like to ask for your ruling as to whether or not adequate compensation to pay costs—and I might add that I have asked the Canadian Automobile Association what the actual cost of driving per kilometre is, and they have told me that it's somewhere in the neighbourhood of 45 cents to 55 cents per kilometre.

I raise this as a serious point of privilege, so that many members, particularly in the rural areas, where you're required to put on 250 kilometres in order to attend a particular event, may be properly compensated for their costs. All we're asking for are the costs associated with operating vehicles while doing legislative business.

**The Deputy Speaker:** I thank the member for Lanark-Carleton. I don't find this to be a *prima facie* case of privilege, but I will undertake to relay this message to the Speaker and have it brought to the Board of Internal Economy.

#### ORDERS OF THE DAY

##### EDUCATION STATUTE LAW AMENDMENT ACT (STUDENT PERFORMANCE), 2006 LOI DE 2006 MODIFIANT DES LOIS EN CE QUI CONCERNE L'ÉDUCATION (RENDEMENT DES ÉLÈVES)

Mr. Bradley, on behalf of Mr. Kennedy, moved second reading of the following bill:

Bill 78, An Act to amend the Education Act, the Ontario College of Teachers Act, 1996 and certain other statutes relating to education / *Projet de loi 78, Loi modifiant la Loi sur l'éducation, la Loi de 1996 sur l'Ordre des enseignantes et des enseignants de l'Ontario et certaines autres lois se rapportant à l'éducation.*

**The Deputy Speaker (Mr. Bruce Crozier):** The leadoff speaker will be Mr. Bradley.

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** I will be sharing my time with the members from Ancaster-Dundas-Flamborough-Aldershot and Don Valley West.

**Mr. Frank Klees (Oak Ridges):** Where's the minister?

**Hon. Mr. Bradley:** The member shouldn't be asking that. You should always know where somebody is before you ask that question.



I must say that I once asked that of a former education minister, and he politely said to me, "I was at my father's funeral." I just about crawled under the desk when he said that. It was Tom Wells at the time; he was very kind. I was up on some question of some kind, and I preambled it with, "He wasn't here yesterday. Why wasn't he here yesterday?" I must say he was very gentle about that when he said it. So I learned that you should always know where the person actually was before you say anything. I just caution my good friend the member for Oak Ridges on that particular matter.

There will be other speakers on this. The members for Ancaster–Dundas–Flamborough–Aldershot and Don Valley West are both eager to proceed with their comments on this particular piece of legislation as the government leadoff. As with all members of the Ontario Legislature they have a deep and abiding interest in this legislation, which is designed to bring even further improvement to the field of education.

As members of the House would know, education has advanced considerably in the last two and a half years in terms of its impact in the province of Ontario, on its students who are within the system. I think that when you talk to people directly involved in the system—to students, to parents—many have found some impressive improvements that have taken place. When teachers walk into the classroom, there's a new bounce in their step as they bounce in, because they've had taken away from them the cloud that was there before, the constant tension which was within the classroom. You get from principals and vice-principals and teachers and secretaries and caretakers—just everybody in the system—and the students themselves, the renewed morale which is in the education system.

We try with legislation of this kind to consult widely, of course, both before the legislation is introduced and subsequent to the introduction of legislation, when there are committee hearings, when those are necessary, and simply receiving input from the public. There's always an interest in education bills, and the minister has developed legislation which he believes and the government believes, and I think many in the province will believe, will have a positive impact on the education system. It is ever evolving, it is ever endeavouring to improve itself, and with the guidance and assistance of the government, it is bound to do so. So I think this is the kind of legislation which will be subject to debate, as it should in this House, and will ultimately bring some further positive change to the field of education in our province.

The Premier has stated, the minister has stated and the government has stated that education is of great importance to this government. Quite obviously, the Premier has shown through investments that have taken place in education—and there have been significant increases in the investments in education over the past two and a half years by the Liberal government in Ontario—has demonstrated at the preschool level, the pre-formal school level in terms of child care and early childhood education,

within the elementary school system and the secondary school system, and then, of course, the post-secondary system, some pretty dramatic increases that have been forthcoming and will be forthcoming in the future to the field of education.

It is not the funding alone that will make the difference, but also some policy changes which we hope will be very positive. I look forward to hearing all members of the House, particularly my colleagues on the government side, because I know they're enthusiastic about the legislation, but I'm also interested in hearing, as I will, by either being in the House or reading Hansard, what members of the opposition will have to say and what the general community will have to say about this legislation.

So I'm now going to permit my colleagues from Ancaster–Dundas–Flamborough–Aldershot and from Don Valley West to continue this debate, providing the government lead on this important piece of educational legislation.

**The Deputy Speaker:** The Chair will also permit the member for Ancaster–Dundas–Flamborough–Aldershot to take the floor.

**Mr. Ted McMeekin (Ancaster–Dundas–Flamborough–Aldershot):** I rise to add some brief comments to the wonderfully articulated comments by the honourable member from St. Catharines, who has a deep and abiding lifetime interest in education and its advancement. I also rise, obviously, today for second reading of some very important legislation for the direction of education in Ontario.

If passed, this legislation would be a tremendous boost for improved student performance. In March, the McGuinty government, for the first time, set provincial outcomes to maximize our educational initiatives and remove barriers to greater student achievement. The one-size-fits-all approach in education adopted by the previous government is ineffective. This bill is a significant tune-up that will modernize education as a condition for success for our students.

**1550**

The student performance bill contains several limited but substantive amendments to the Education Act and the Ontario College of Teachers Act. These amendments provide the legal support necessary to enable our most important objective in education in this province: improved student performance. This legislation proposes to achieve this with four main drives. They are: initiatives to support teaching excellence, new responsibilities for boards and the ministry, a real partnership in education based on respect, and openness to the public.

This legislation proposes some critical changes to enhance teaching excellence. For example, it would revoke the pen-and-paper test, which didn't evaluate a teacher's actual classroom experience and effectiveness, in favour of a new teacher induction program. It would also repeal legislation that limits teachers' professional activity days to four days per year. This legislation would also facilitate the extension of teacher collective agreements from two- to four-year terms. These are all



significant ways of supporting improved teaching excellence. My colleague Kathleen Wynne, the parliamentary assistant to the Minister of Education—

**Hon. Jim Watson (Minister of Health Promotion):** Great member.

**Mr. McMeekin:**—a great member—will speak more about these key components of the bill.

The proposed legislation also contains measures that would support the government's ability to build confidence in public education with new responsibilities for school boards and the ministry itself. The ministry has identified areas of key provincial interest, such as class size, fiscal responsibility, improvements in literacy and numeracy, and safe schools. This legislation, if passed, would clarify ministry and board responsibilities as they relate to these interests, and particularly as they relate to student performance.

What I'd like to do now is talk a bit more about how this proposed legislation would help to facilitate two important objectives: partnerships in education based on respect and increased openness to the public.

All of the amendments being proposed hinge on our ability to create and sustain lasting partnerships in education, partnerships based on respect. Achieving excellence in education demands a genuine partnership in which there is shared respect, mutual responsibility-taking and agreement about results at every level of the educational system. This legislation, if passed, would help build on the new era of respect and partnership that has become evident in the system.

It would respect school board trustees for the important work they do by giving them realistic supports, removing penalties in the act related to trustee compliance, and strengthening and clarifying their role in stewarding education. This legislation would help us to respect student trustees by empowering and recognizing them through new scholarships, non-binding votes, procedural rights and increased resources. As my colleague Kathleen Wynne will outline in more detail, this legislation would enhance respect for teachers through a revitalized Ontario College of Teachers.

First, let's reflect on the important role of school board trustees. They are in fact—and I didn't know this until recently—the oldest form of elected representation in the province of Ontario. Since 1807, generations of community-minded citizens have made decisions on behalf of local publicly funded schools, building the foundation of the system that we have today.

Despite this longevity and contribution, the trustee role is widely underappreciated and seriously misunderstood. Some of this condition stems from the late 1990s, when the previous government removed local taxing authority, centralized curriculum, amalgamated school boards and reduced school board grants. Provincial laws established a standard and generally much lower limit on honoraria, as well as personal penalties for non-compliance with provincial requirements. All of these factors contributed to a devaluation and, at minimum, confusion concerning the role of trustees.

**Interjection:** Sad but true.

**Mr. McMeekin:** Sad but true.

The McGuinty government views the needs of education differently. We believe that sound local decision-making by local representatives is essential to student success. We see a new role for local school board trustees, a role based on respect. Their valuable contribution can be summarized, I suspect, as providing five key elements of educational oversight: effectiveness, efficiency, community engagement, ethics and representation.

Effectiveness means the insightful allocation of funds, sound policies and innovations that fit the needs of local students and a strong evaluation of outcomes at the local level.

Efficiency means an informed stewardship that reinforces the best value for dollars provided through good board budgeting and meaningful expenditure controls.

Community engagement is, of course, important to sustain and support the participation necessary from parents and all members of the community to ensure a school's success.

Ethics almost defines the trustee, since there is an essential trust agreement with parents and communities around the education and care of children, with policies and practices that keep them safe and develop them as responsible citizens.

Representation of the unique local needs of school boards to the provincial government is also a key component to the role of trustee.

Given these critical contributions, I think we can all agree that trustees deserve to be treated, and to be seen to be treated, with greater respect if the public is to understand their role appropriately—and that includes the topic of remuneration. Trustees work hard and contribute toward increased student success. This hard work has resulted in a productive environment of peace and stability and school progress through improved student achievement and improved services.

Trustees' capacity to undertake their role is an important ingredient in successful educational improvement. But by adopting a one-size-fits-all approach to governance, the previous government ignored the varying challenges that our school trustees face. With boards ranging in size from 10 to 250,000 students, with budgets from almost \$500,000 to \$2.3 billion, and massive geographic variances, there is clearly a need for a different consideration. The ministry views the role of trustee as essentially a part-time position, but how much time is minimally required varies according to the complexity of the board. While many trustees volunteer considerable amounts of their time, the importance of informed participation requires a more realistic alternative to ensure sufficient time is available.

**1600**

If passed, the bill would permit school boards to set trustee compensation up to provincial limits that would be set out in regulation and in line with remuneration of school boards elsewhere in Canada. It would also grant



authority for regulations to provide a retroactive increase to trustees' honoraria for the current school year and provide a process for community input into what the appropriate levels of a trustee honorarium ought to be. It would also eliminate the arbitrary and paternalistic personal penalties for trustees enacted by the previous government. Everything else included, it would also provide some very important clarification about respective roles in stewarding education.

Establishing and enhancing partnerships based on respect means giving more flexibility to boards so they can make decisions locally. While much has been made of the loss of taxing powers of trustees, less is said about the considerable potential related to spending powers. This is partly because in the previous era of cutbacks, the only choices available were about money savings and reductions.

We are now two years into an extraordinary four-year investment in education, an investment which is providing school boards with more funding to address local needs. The current period of much-needed educational investment opens up some much-needed additional possibilities. Currently across the province, school boards have total control over some \$3.9 billion without strict requirements to address local needs. We intend to create a new era of local flexibility and autonomy by empowering trustees in local funding and policy decision-making. If passed, this bill would introduce the authority for government to make regulations to promote the provincial interest in education.

In addition, it would permit regulations to clarify ministry and board responsibilities related to significant goals such as: effective use of resources; student outcomes, including elementary literacy and numeracy and high school graduation rates; parental engagement; special education needs; the health of pupils; the safety of pupils and staff; as well as the publication of occasional reports.

Our government plans to embark on a special consultation with trustees and other educational partners around the nature of provincial outcomes and which areas of increased flexibility should be opened up. This consultation will look at the way in which provincial outcomes and flexibility will vary across the province according to the unique local needs and challenges that our school boards face. Paramount to each of these discussions is the shared desire to sustain momentum and progress in publicly funded education.

A standing committee will be established in a reciprocal effort to ensure a true partnership, an enhanced way for trustees' needs to be heard and the government to be held to its responsibilities. The committee will review and provide input on education policy and programming matters in Ontario. In addition to discussions about provincial outcomes and increased local flexibility, a central topic will be the clarifying of the roles and responsibilities of schools, boards and the ministry itself.

A trustee's role is distinct from the rest of board administration, so discussions will seek to clarify the role

and the responsibilities of trustees as well as the critical link between trustees, schools, board officials and the ministry.

I want to talk about student trustees for a moment, because they're an equally critical component, in our view, to enhancing partnerships in education based on respect. As a first step in ongoing student trustee development, the legislation, if passed, would provide student trustees with a variety of rights, including a scholarship at the completion of their term, equal access to all board resources, and the same right to attend trustee training opportunities as board members. This supports our commitment to address the recommendation of the Ontario Student Trustees' Association to empower student representatives on school boards.

Our government will also be making a new proposal for discussion on student engagement, touching on character education and citizenship values, the ability for students to influence their school environment, and new models for student trustees. Several options on how to achieve more relevance for student trustees will be provided, including potential future voting privileges.

Finally, I would be remiss if I didn't talk about the topic of openness. This legislation, if passed, would open up education to the public and foster real and greater accountability. It would give the ministry the ability to require school boards to publish reports respecting their compliance with specific operational requirements that will be set out in regulation.

If passed, the bill would expand the minister's authority to make ministry grants available to enhance community use of schools. Giving the ministry the ability to direct school boards to offer school facilities for community use at a nominal fee would certainly allow increased access for the not-for-profit groups so frequently debilitated by the previous policy that certainly didn't enhance and ensure their access.

By ensuring public reporting of board and provincial initiatives, this act, if passed, would provide greater accountability and public transparency, something we all like to talk about in this place.

Access to education and opening up our schools can only foster better community involvement for the future success of all our students. In recent years, community groups in some parts of the province have been forced to pay excessive costs in order to use school facilities for their weeknight and weekend programs. Many groups have had no option at all but to pass the cost of user fees along to their members. This has effectively excluded many lower-income families and individuals from opportunities to participate in community programs and activities.

**Hon. Mr. Watson:** Terrible.

**Mr. McMeekin:** It is terrible, as the honourable member notes. How do you build strong, effective, wonderful communities—

**Hon. Mr. Watson:** Healthy communities.

**Mr. McMeekin:** —healthy communities, as the Minister of Health Promotion notes, without providing the physical space for groups to meet?



1610

**The Deputy Speaker:** The Speaker feels just a little left out. Perhaps you could direct your speech through the chair.

**Mr. McMeekin:** Speaker, I lament that you feel left out, so I'll certainly address these few final remarks directly to you. Speaker, Speaker, Speaker: It is appalling that the former government's changes to the educational funding formula have made people pay to use school facilities that they've already paid to build and operate with their hard-earned tax dollars. Speaker, when our schools are welcoming and accessible places where local residents can come together for leisure or lifelong learning, they contribute to building safe, clean, livable, healthy communities. After-school activities for children, youth and older adults, as well as programs for pre-schoolers and their parents, help to foster success for students.

Speaker, the McGuinty government is continuing to allocate funds to boards to allow them to substantially lower fees for community groups.

**Hon. Mr. Watson:** Twenty million this year.

**Mr. McMeekin:** Twenty million, as pointed out, and that's just a start.

We will work closely with district school boards, municipalities and community groups to help reduce the financial barriers that exist to accessing school facilities. Why, Mr. Speaker? Because we want to ensure that our schools fulfill one of their most fundamental and, it seems, oft-forgotten roles in our society as the heart and soul of community and neighbourhood life in Ontario.

Mr. Speaker, this government is taking responsibility for education in Ontario and giving our partners in education the respect they deserve. I hope this bill finds the support of my colleagues in this Legislative Assembly because, ultimately, this bill represents what we all desire to accomplish in education: openness, partnership and success based on respect and improved student performance.

**Ms. Kathleen O. Wynne (Don Valley West):** I rise happily today to speak to second reading of Bill 78, the student performance bill. As my colleague has outlined, this bill proposes some very important legislation concerning the general direction of education in Ontario, and some specific issues around student performance and, I would suggest, good governance as well. As a government, we've staked out a very ambitious agenda. I can tell you, as a former school trustee and a parent activist, that it's one I'm very proud of, and I'm happy to be here to support it.

The student performance bill will, if passed, lay the foundation to build back the climate that should always exist in schools, I would suggest. That climate is one of peace and stability and respect for the educators, the students and the school community around each of the schools in the province.

I want to make a general comment before I talk specifically about some of the initiatives in the bill. This government is attempting to do no less than re-create and

build back a public institution that I would suggest was eviscerated under the previous government. When we were first elected, one of my colleagues—I think it was the member for Stoney Creek—talked about our task as being to put back the pieces. If we think about a Rolex watch, the Rolex watch was smashed during the previous regime. Now, we're in the process of trying to put back the pieces and, in fact, improve on the mechanism while we do that.

But the organic and visceral necessity of a healthy and supportive climate in a school is not just one that can be legislated and that is technical; it's something that has to be nurtured and supported and worked with. That's why the substance of this bill is critical—and I'm going to talk about that—but the way this bill came about, and the processes we've used, as a government, to rebuild are just as important. What those processes do is bring back into the discussion about education the people for whom it is critical: the students, the teachers, the parents—the people who were frozen out of the discussion, who only found out about what was going on in education when they read it in the newspaper the morning after the Tory government made a decision.

What we're trying to do is rebuild a process that makes everyone feel that they're a part of education and, at the same time, put the structures back in place that will allow the system to work as that well-oiled Rolex would work.

While my colleague Mr. McMeekin, the member for Ancaster–Dundas–Flamborough–Aldershot, has already spoken about some of the important topics around flexibility and trustees and so on, I'd like to talk about teacher excellence for a moment. This government recognizes that to improve student performance, we must support the very people who deliver education every day, and that means our teachers. It includes our teachers, and our teachers are at the core. Teachers are the single most important influence, apart from family, in shaping the future of our children in our province. I don't think anyone would argue with that. Every day, teachers across Ontario inspire students and colleagues with their innovation and passion for teaching.

Les enseignantes et enseignants exercent le plus d'influence, après la famille, sur l'avenir de nos enfants et de notre province. Chaque jour, les enseignantes et enseignants de tout l'Ontario inspirent les élèves et leurs collègues en faisant preuve d'innovation et de passion pour l'enseignement.

They play a vital role in ensuring that our children get the skills and knowledge they need to achieve excellence. As the government, we're committed to supporting them—not punishing them, not undermining them, not demeaning them, but supporting them. We believe that teaching is more than a profession; it's a high calling and a matter of public service. Anyone who has been in a school recently at any point knows that the teachers in this province are dedicated to that calling and to that profession. That's why we've put into effect a policy of respect for teachers and an attitude of respect for teachers and have made it our responsibility to ensure that our



teachers have what they need to help our students succeed. That means providing support and recognition for what teachers and educators do on behalf of students every day.

Support means revoking the ineffective pen-and-paper teacher qualifying test that didn't evaluate actual classroom experience or expertise. It amounted to a vexatious irritant rather than a meaningful support, and meaningful support is what teachers need. So, subject to the approval of the Legislature, the requirement for teacher candidates to pass the qualifying test as a condition of teacher certification would be revoked because we all understand that in its place we need to put a positive second step for beginning teachers. A beginning teacher is going to be the first person to tell you that they need some support in that classroom, and we're going to give them valuable in-class support during that first challenging year of practice which would complement that formal one year of pre-service university training.

The new teacher induction program—and you'll hear that acronym now, NTIP—would address the retention and development of new teachers by providing valuable mentoring by experienced teachers and on-the-job training. We all know there is only so much you can learn in the classroom. You have to have that person standing beside you and helping you to integrate what you've learned in the classroom. These are the real supports that teachers have told us they need. So, if approved by the Legislature, successful completion of the new teacher induction program would require two satisfactory ratings on teacher performance appraisals. All publicly funded boards would be required to have this program in place by September 2006-07, so this is an immediately effective piece if the legislation is passed. All teachers new to Ontario's public schools would be required to participate in the program. A notation of a successful completion would be placed on the teacher's certificate of qualification and on the public register of the Ontario College of Teachers. This notation would signify to the public that a teacher has successfully completed that meaningful program, including proven successful teaching in an Ontario classroom. This is a real certification and a real indication that the teacher has had the mentoring and the classroom teaching they needed. The teacher performance appraisal system for new teachers would also be streamlined to use as a part of the new teacher induction program.

The overall result of this change is that teachers would be better prepared and more confident, and that's a good thing for the students in our classrooms. It's also a good thing for our system, because if a teacher is feeling confident and he or she feels that he or she is on top of material and is on top of classroom discipline and so on, then those teachers are going to feel that they want to stay in the system. We need that young energy. We need those people in our schools.

1620

The new teacher induction program is based on recommendations of the teacher development working table, which is a subcommittee of the education part-

nership roundtable. That refers to the issue I noted earlier: that not only is the substance of this bill important, but the way we got here is important. The recommendations from the working table that have come from all segments of the education sector have been integrated into the legislation that you see before you now.

The working table includes all education partners, and this dialogue with our education partners is characteristic of the way we're doing business. This is the way we're running government, in the sense that we are opening up the discussion to the people who are most interested, rather than freezing them out. I believe that open dialogue and input from people who are on the ground and who understand how policy works means that our policies are going to take hold, that they're going to take root in the classroom, which is where we need them to be. It's fine that we pass the legislation here, but if they don't take root in the system, if they don't take root in every classroom across the province, then the passage of the legislation is for naught.

The previous government didn't support teacher training in this way. In fact, I would suggest that the previous government didn't support teachers. They didn't treat teachers as professionals. As an example of this kind of disdain, the previous government reduced the number of professional activity days from nine to four, even though the average across other provinces is nine. If we are to support our students, we must provide professional development for our teachers.

Le gouvernement précédent n'a pas soutenu la formation des enseignantes et des enseignants. Il a réduit le nombre de journées pédagogiques de neuf à quatre, même si la moyenne des autres provinces est de neuf. Si nous voulons appuyer nos élèves, nous devons faire bénéficier nos enseignantes et enseignants d'un perfectionnement professionnel.

We need to provide them with more opportunities for shared problem-solving and give them access to new cutting-edge teaching techniques to improve student achievement. As I said before, anyone who spent time in a school knows how important these opportunities are and knows how rarely teachers have an opportunity to share their ideas because of the demands of their classroom work.

Legislation would be repealed that allows for only four PA days per school year and would allow for additional ministry-directed professional activity days to support the government's education priorities, priorities that focus on student success. That's a recognition that teachers need that professional support.

If the Legislature approves the proposed amendment, we intend to amend the regulation to provide for an increase in the number of professional activity days. I'm sure that no one on the other side of the House will be able to oppose the idea that our teachers should have the professional development that they need, so I expect that there will be unanimous support for that.

**Hon. Mr. Watson:** Frank Klees supports that.

**Ms. Wynne:** I'm sure Mr. Klees will support that, and I'm sure Mr. Marchese will support that, because they



believe in teachers. Better-trained teachers obviously mean better-prepared students.

I should also point out that the Education Statute Law Amendment Act, 2005, repealed previous legislation and provided for the negotiation of two- or four-year teacher collective agreements. The government also announced measures to encourage longer-term contracts. This is in the spirit of creating peace and stability in the system, which we've managed to do. If passed, this bill would allow the extension of those teacher collective agreements. Some of the boards had two two-year teacher collective agreements, and this legislation would allow those two-year agreements to become four-year agreements. So two two-year agreements could become a four-year agreement.

This new climate of peace and stability, which has characterized our time in government, is an important building block, and it speaks to that issue of the organic nature of the climate in a school. Without that peace and stability and the opportunity for reflection and harmony, then it's very hard to move forward.

I also want to point out that it's in times of peace that we often work our hardest to continue to achieve our goals. When there's conflict and instability, people rush together in opposition, but when there's peace and stability, there's actually an opportunity to build and grow and move forward, and that's the environment that we're creating.

These venues, such as the education partnership table, which I referenced earlier, are contributing to what I would suggest is the good government aspect of what this bill brings forward. What good government should be about is dialogue, partnership and respect. Those things are exemplified in this bill.

There are some housekeeping matters that have to be dealt with as a matter of course in any legislative agenda, but on the whole this is a progressive bill which, if passed, will engender academic excellence and democratic openness with new measures for input and active engagement for citizens; for example, the establishment of the public interest committee of the Ontario College of Teachers and the new measures for student trustees. All of these things allow for input from outside of the education sector and democratize the process.

I want to address one final aspect of this bill as it relates to teachers: the proposed revisions to the Ontario College of Teachers. The McGuinty government believes it's time to revitalize and depoliticize the Ontario College of Teachers. It should become a truly professional body, and teachers deserve the privilege of self-regulation and the respect that would come with it. Again, I'm sure that our colleagues in the third party will agree with this. The benefits of a successful college for Ontario students should be obvious. A highly skilled, motivated body of teachers which is held in high regard by the public at large should be seen as a positive aspect of the education community. So I'm sure that this depoliticization of the Ontario College of Teachers, by having a majority of classroom teachers on the council to carry out its mandate, will be supported by the members opposite.

If passed, the legislation would change the governance structure of the college to depoliticize it, and it would have a majority of classroom teachers on its council. With the proposed addition of six elected classroom teachers to the college council, there would be 19 elected teacher positions on the council, giving teachers a clear majority. Again, these aspects of the legislation have been talked about with the sector, there's agreement that this is the way to go, and there's a partnership with teachers that has led to this statute being brought in. Our government is committed to ensuring that the classroom teachers who sit on the council serve the public interests, not the interests of a specific organization, and there's agreement among teachers that that is a good thing.

Our government is strongly committed to teaching excellence. We're committed to teaching excellence because we know that teaching excellence is at the core of a successful education system. We believe that giving our teachers the respect they deserve is a key way of working toward obtaining that teaching excellence and restoring the organic, healthy climate in our schools.

Notre gouvernement a pris un ferme engagement envers l'excellence en enseignement, et nous croyons que témoigner à nos enseignantes et enseignants le respect qu'ils méritent est un moyen clé de parvenir à cette excellence en enseignement.

We're taking these steps to support our teachers because we know that it's critical for student achievement. By supporting a partnership with teachers, we're creating an environment that'll help us to achieve our shared goal, because I believe it is a shared goal of all the members in this House to make sure that our students reach their potential, that every student in Ontario reaches his or her potential and has the aspiration that he or she deserves. I look forward to supporting this legislation.

**The Deputy Speaker:** Questions and comments?

**Mr. Norm Miller (Parry Sound-Muskoka):** I'm pleased to add some comments to the speeches from the member from Ancaster-Dundas-Flamborough-Aldershot and the member from Don Valley West, who were speaking on Bill 78, An Act to amend the Education Act, the Ontario College of Teachers Act, 1996 and certain other statutes relating to education.

In the short time that I have available, I would like to go to the amendments to the Ontario College of Teachers Act, 1996. That's part II of the bill, which amends the Ontario College of Teachers Act to change the number, duties and term of office of members of the council established under the act. What that really means is that the government is handing over control and a majority vote on the Ontario College of Teachers to the teacher unions. So I say that this is very different from what the member from Don Valley West was saying, where she was talking about depoliticizing the college of teachers. In fact, I would say that this is politicizing the Ontario College of Teachers. I would ask, how is the public interest served by giving majority control of the college of teachers to the teachers' union?



1630

I would be completely in favour of having more teacher representation on the college of teachers, but I think most teachers would agree too that it should be a democratic, free vote amongst all teachers to allow any teacher who wants to sit on the college of teachers to run for that position, and not to represent the union but to represent all teachers. That would certainly benefit students. You almost have to listen to what they say and take the opposite, because when she says “depoliticize” I think this would in fact politicize it.

This bill would eliminate the teacher qualifying tests as well. I might point out in the nine seconds I have left that the government eliminated a lot of the training and assistance that was put in by the past government. I'm out of time and will look forward to the member for Oak Ridges to talk more about this bill.

**Mr. Rosario Marchese (Trinity–Spadina):** I will have an opportunity to begin my leadoff debate on this bill around more or less a quarter to 6, possibly 10 to 6. I have a fair amount to say. The Liberal members might find me a bit positive on some elements of this so-called student performance bill as it relates to trustees, the college of teachers, the teacher induction program, but will find me critical in many other areas of this particular bill. I will find the opportunity to comment on many of the failures of this government—and there are many, in spite of the claims made by the three speakers who have already spoken on this education bill.

We will find the time to talk about the capital programs, because as much as this government is proud of its achievements on this front, I will be able to point out many of the weaknesses of this program. We'll have plenty of time to talk about the funding formula. The Liberal government continues to use the Conservative funding formula of 1997-98; it hasn't changed. The Liberal government may be proud of it, but we progressive people on this side are not. We know that People for Education are not happy about that. We know that most boards are not happy about the flawed funding formula that has not changed.

I'm going to have an opportunity to talk about the Safe Schools Act, an opportunity to talk about autism, the Education Quality and Accountability Office, otherwise known as EQAO, and what the government has done vis-à-vis that, to talk about special ed., ESL and more at about 10 to 6.

**Mrs. Liz Sandals (Guelph–Wellington):** I'm pleased to rise in support of Bill 78 and to respond to the comments of my colleagues from Ancaster–Dundas–Flamborough–Aldershot and Don Valley West.

One of the things that we have been able to do and, I might say, quite successfully, is to bring back to public education an atmosphere of calm and co-operation, something that was sadly lacking during the previous government. One of the ways in which we have been able to do that is by recognizing that in fact teachers are our partners, not our enemies. There are a couple of elements in this bill that go to that partnership and the recognition

that students perform well when teachers perform well; that is, when teachers are able to teach well.

The previous government had the attitude that you can test everything and that's the end of it. That's not our attitude. For that reason, we are removing the teacher qualifying test and introducing in its place something for which the education sector has fought for years: that when teachers complete teachers' college, we recognize that in fact they're not experienced teachers, they haven't learned everything they need to know. And for that reason, we're introducing a teacher induction program where beginning teachers will be supported in a mentoring program and an internship program by experienced teachers. They will be able to learn on the job, in the classroom, improved teaching practice.

We are also going to increase the number of PA days because we understand that professional development days are necessary to keep every teacher on top of their game and up to date on the latest teaching techniques so that our children can succeed.

**Mr. Cameron Jackson (Burlington):** I too would like to comment on the comments from the government members so far on this bill. Let's be clear: The teachers' union very much has an interest in managing any provincial government as it relates to their relations with their school boards, and this government has done a very good job in terms of responding to their list.

I can tell you from my experience—I served for 10 years as a public school trustee in this province—it was not an easy job trying to reconcile between the needs of children, the needs of taxpayers and the needs of teachers, the pivotal part of the equation. I remember, when we first became the government back in 1985, there were 28 different committees that the Minister of Education of the day, regardless of what their political stripe was, was required to interact in with the teachers' union. It seems that every time there was a challenge in education, the teachers' federations would come forward and say, “Let's make a committee and let's sit and discuss it.” This had morphed itself into 28 different committees and so there were no real reforms going on.

The government has its reasons and they're defending them. I'm not here to argue about that, but we are moving the college of teachers and we're changing, in effect, how it advocates for teachers and we're changing how it advocates for children. The area of concern greatest to me—and I hope this finds its way into the debate—is the whole issue around oversight when teachers have run into those problems of supervision. We have cases where teachers are pedophiles and they find their way into the system, where they have broken the law, where they have harmed children. To put an organization entirely run by teachers in charge sometimes doesn't get the best outcomes in the safety of children, and I want that on the record.

**The Deputy Speaker:** Response, the member for Ancaster–Dundas–Flamborough–Aldershot.

**Mr. McMeekin:** We're all given a gift at birth that we often fail to recognize, but need to recognize and need to



acknowledge, and that's the ability to start over again every single day. That doesn't just apply to individuals. That applies to institutions and governments as well, if they're creative enough to reach out and grasp the concept.

There are a lot of good things that have happened in the past, and some not-so-good things. We're committed to a new day. We're committed to a new era. We're committed to an enhanced sense of partnership, ownership, opportunity, openness, consultation and participation. We talk about the three Rs. We can talk about respect. We can talk about responsibility. We can talk about results. That's what we're really committed to.

As for active teachers—and I can't think of a profession that's more a calling, is more wonderful for those who want to engage our young people in the task of equipping themselves with the skills to be good citizens, let alone compete. As for the college of teachers having more teacher input, I think that's a good thing. Like any professional regulatory body, you have to have people there who are active and know what's going on.

We're committed to enhanced success. We're putting the pieces together. I would hope that members in this House will be supportive.

**The Deputy Speaker:** Further debate?

1640

**Mr. Klees:** I have about an hour to speak about this bill. I look forward to taking this bill, section by section, and contrasting the content of the bill with some of the rhetoric we've heard from members of the government who have spoken to it. I watched very carefully to see whether members were in fact referring to the legislation or whether they were reading from their notes, which clearly had been presented to them by the minister's office.

Speaker, I would ask for a show of hands from members of the government bench as to who has read this legislation from cover to cover. I would very much now like to put that to the test, because when you look at what this legislation in fact does, it does the opposite of what members said it would do and is going to do, which is confounding to me as someone who has read this legislation, who has spoken with stakeholders, who has heard from stakeholders, be they trustees, be they individuals who have been engaged with the College of Teachers, be they parents, be they the media, the education writers in the media—everyone.

I will be bringing forward all these stakeholders and all these third-party references. I will read that information into the record, and I will allow the public to decide for themselves what the rhetoric of this legislation is, according to government members, and what the facts are. I don't believe it's intentional on any member's part, as I've listened to them, but I do believe that they have somehow consumed the Kool-Aid that was poured for them by the minister's office, that somehow they actually believe what they say. And so, we'll proceed.

Whatever the reason—and I'm sorry; I heard that it may well be as a result of some illness, perhaps in the

family, that the minister has had others represent him here today. I wish him and his family well. I also know that unless the rumours are not correct, there may well be a press conference, if not tomorrow, at some point very soon, in which the Minister of Education will announce that he is leaving, that he will be seeking the leadership of the federal Liberal Party. To that end, I publicly stated that I'm happy to endorse his leaving here and running for the Liberal leadership, because if he can do for the federal Liberal Party what he has done for the provincial Liberal Party, then that will serve the Conservative Party federally very well.

Here is this man's rhetoric, the Minister of Education for the province of Ontario. Here is the legacy he is leaving us after some two and a half years. This is a Liberal Minister of Education who, together with his Premier, when they were scratching for votes out there, looking to be elected, made a promise to autistic children and their parents across this province that they as a government would extend support services and educational services to children with autism beyond the age of six. After the minister was sworn in, not only did he not keep that promise but he, together with his government, chose to challenge and appeal a court order that directed them and made it very clear that by not doing so, they were discriminating against these children. To this day, they are appealing that decision. That's the legacy of this minister.

This minister also made a promise that they would commit \$177 million to education to keep rural schools and small schools open. He said that that \$177 million was going to come from cancelling the independent school tax credit and the property tax credit to senior citizens. It's interesting that he did exactly that. Not only did he cancel the education tax credit for working families whose children go to faith-based schools, but he did so retroactively, which he didn't have to do, and as a result caused significant hardship to many families in this province. Yes, he did cancel the property tax credit for senior citizens in this province to help with their property taxes; he did that. But what he did not do was honour the \$177 million to rural schools and small schools. That's the legacy of this minister.

This minister promised a new funding formula for transportation in this province. He failed to deliver on that, despite rising costs for transportation, maintenance and insurance. School boards across this province are scratching and robbing Peter to pay Paul to look after their transportation costs.

This is a minister who promised to cap class sizes. He is nowhere near completing that commitment, but what he is doing is filling schoolyards across this province with portables because of his class size cap. Schools across this province have no idea what to do with those kids who now have to be in additional classes, so we're getting a proliferation of portables throughout this province. That, if anything, is not conducive to a quality school environment. There is yet anyone to come forward and confirm that the class size cap policy of this gov-



ernment will in any way enhance the quality of education in schools in this province. This is the legacy of this minister.

This is the Minister of Education who encouraged trustees to enter into four-year agreements with teachers and support staff. But the same minister has failed to deliver the funding necessary to support those four-year contracts and the increase in salaries and, as a result, is forcing trustees and school boards across the province once again to rob Peter to pay Paul, to take money from textbooks, take money from special education and move it into the salary portion of their budgets so they can honour those obligations.

In this past budget, the greatest concern of school board trustees across this province was that the only amount in additional commitment for school boards was the \$450 million that the minister had been promising for the last year and a half. It is going to leave school boards across the province \$1 billion short of meeting those contractual obligations.

The minister himself, in speaking with school boards across the province, has advised them that, in his mind, they have sufficient money. Why? Because he has proposed and given them handouts, one-time funding for various programs. This is the minister who has travelled the province making one-time funding announcements for new programs in schools within the educational system. That makes a wonderful announcement. He is applauded when he goes to these various schools and makes the announcements. What they don't know is that it's the expectation of this minister that those funds are somehow shuffled throughout the budgetary process to look after their obligations in those four-year contracts. That's the legacy of this minister, and yet we hear today the rhetoric about all of the good things that this bill before us will do.

**1650**

I want to take, one at a time, these commitments.

I want to talk about the Ontario College of Teachers, and I want to start off the discussion about the college of teachers by reading from the OTF report. This is an article written by Hilda Watkins, and it reads as follows. This is directly from their newsletter, and it sets the context for this legislation and the changes made to the college.

"OTF and the teacher federation affiliates have continuously lobbied the government to make teachers truly self-governing. Indeed, a change in college structure was a Liberal campaign promise.

"No changes have yet been made." That was at the time of the article. "The teacher federations and the minister do not agree on a number of basic issues. OTF and the affiliates have adopted the following positions regarding the governing council:"

First: "Classroom teachers representatives must hold a clear majority of seats."

Today, this bill is a fulfillment of that campaign promise, and I want to leave it there so that people understand why we have this incredible change now taking

place in this legislation. I want to first of all help people to understand what the purpose of the college of teachers is. It was first recommended not by our government, the previous government; it was in fact recommended, initially implemented and proposed by the former NDP government. But it came out of the Royal Commission on Learning. If you recall, that was a unanimous report that was entitled *For the Love of Learning*. It made some 167 recommendations to reform Ontario's education system.

The Royal Commission on Learning recommended at the time, and I quote from the report, that "An Ontario College of Teachers should be established as an independent professional body to determine professional standards and be responsible for certifying teachers and for accrediting teacher education programs." The operative word here was "independent." There was a reason for that independence being recommended by the Royal Commission on Learning.

So it was established, and here is the mandate of the Ontario College of Teachers: "The college is responsible for setting the qualifications required to teach in Ontario, licensing teachers, and disciplining teachers found guilty of misconduct and incompetence, as well as accrediting teacher training programs." That is the mandate of the Ontario College of Teachers.

Today, the governing council of the college of teachers has 31 members. Seventeen are elected by members of the college, and 14 are appointed by the government to represent the public. Of the 17 elected councillors, six represent regions, seven represent facets of the different school systems, and one each represents principals and vice-principals, supervisory officers, faculties of education, and teachers in independent private schools. That's appropriate, because what we want in this college of teachers is broad representation to ensure that the business of education in this province is done in a professional way.

The current Minister of Education has said that he wants to add more classroom teachers to the governing council. Here's what members of the public have to understand: What does that mean? What is the definition of a classroom teacher? I know what most of us think that means, and quite frankly that's good. "Classroom teacher" should mean that these are people who are working in the classroom, day-to-day classroom teachers engaged in the business of teaching, and so they would understand what the business of teaching entails, what the challenges are, what the problems are and what needs to be done to improve it. The teachers' unions say that this will allow union activists elected on their slates to control the licensing and disciplinary body for teachers because, you see, another term for "classroom teachers" is "members of the union"; that's what it is. Wherever you hear "classroom teachers" in the context of this legislation, you can substitute, "members of the teachers' unions." It's important that we keep that in mind.

I want to refer to some general public information when this bill was first tabled. I'd like to read an article.



This is from the Toronto Star on March 11, 2006: "Education Minister Gerard Kennedy is continuing his relentless campaign to reverse the initiatives of the previous Conservative government.

"The problem is that he is throwing out some good with the bad."

Folks, this is the Toronto Star; this isn't me and this is not the Fraser report. I continue:

"Take, for example, Bill 78, the so-called 'Student Performance Act,' which was virtually ignored by the Toronto media when it was introduced by Kennedy last week.

"It is an omnibus bill with a wide range of measures, including:

"Giving 'working teachers' a majority on the governing council of the College of Teachers, the regulatory body for the profession.

"The college grew up under the Conservative government, although it was actually conceived by the preceding NDP regime.

"The New Democrats, in turn, were following the recommendation of the Royal Commission on Learning, which said that the teaching profession needed its own regulatory body, one that is not dominated by the teachers' unions.

"But the Liberals, lobbied by those same unions, made an election promise to give 'working teachers' a majority on the college's governing council. Bill 78 delivers on that promise.

"Critics fear this would hand control of the college to the unions and fatally weaken its ability to regulate the profession and discipline wayward teachers.

"Kennedy says he is appealing to the unions to 'stay out of it' and is hopeful they will."

Well, you know that this is in fact a capitulation. It is a departure from the very purpose of the college of teachers, and it is regrettable.

I'd like you to consider this scenario; I'd like the public, those listening, to consider this scenario. A child has witnessed and been subjected to verbal abuse and invective from a teacher who is reputed to frighten not only his students but his colleagues as well. Eventually, the parent takes the huge step of reporting him to his professional licensing body in the expectation that he will be made to either amend his ways or leave the profession. The day of the hearing arrives, and you go to the Ontario College of Teachers to see that justice is done. That's the expectation of the parent.

As you would expect, the teacher is there with his union representative, his union-paid lawyer. But imagine, to your surprise, when you find that two members of the three-person panel established to hear the case are indeed union officials. One of them is in the same union as the member whose case is being heard; in fact, he's the president of a local of the union that's paying the lawyer. That's how they do things at the Ontario College of Teachers, which licenses and disciplines teachers.

The legislative changes that Mr. Kennedy has just introduced into this Legislature are designed to reinforce

and to strengthen those practices that already being practised by this college of teachers. I am deeply concerned that we have taken something that is to serve the public interest, where parents have a responsibility and the right to believe that their students, the classroom, the education system in this province, are being guarded by a professional body with public oversight, and we have just handed that over to the unions. Not that we believe that anyone who is a union member is inherently bad; of course not. But this shouldn't be. That is not what is happening in other self-regulatory bodies. You don't have the College of Physicians and Surgeons of Ontario with a majority of the people on that body also members of their union. There is a majority of public interest represented by government appointees. That is how this started. It was what was recommended by the Royal Commission on Learning. It is the right thing to do, and this government is reversing that.

1700

I'd like members of the government who have bought this line from their minister to listen one of their own colleagues. This is a member of the current cabinet. I wonder where this cabinet minister was sitting when this legislation was discussed at the cabinet table. I have here a letter addressed to the Honourable Gerard Kennedy on December 2, 2004. It is a letter from the current Minister of Energy, Donna Cansfield. I'm going to read this letter into the record, because I believe it's extremely important for the public to understand that the minister does not have the support of his own colleagues, some of whom fully understand the import of this. As an honourable member, she was prepared to go public by writing a letter to the then and current Minister of Education. Here is the letter:

"Dear Minister Kennedy:

"I am writing to you to express my support for the issues raised concerning the governance of the Ontario College of Teachers. As you know, I have had a long affiliation with the Ontario Principals' Council and have a good knowledge of its background and its *raison d'être*. I met with representatives of the Ontario Principals' Council on December 1, 2004, and agreed to write to you in support of the concerns which they expressed.

"No professional college can act in the public interest when its governing council is controlled by one union whose own mandate it is to defend its members against public charges. This issue must be addressed, as a council controlled by the Ontario Teachers' Federation will further increase the widespread perception that the college is controlled by the teachers' unions and does not adequately protect or represent the public interest."

The letter goes on:

"A further concern expressed by the Ontario Principals' Council "surrounds the issue of peer review. I share the belief that there must be a mechanism put in place to ensure peer review for principals and vice-principals. Allowing teachers with limited understanding of these roles to judge school leaders is neither self-regulation nor peer review.



"I also support the" Ontario Principals' Council's "concerns about those conflict-of-interest guidelines which presently allow union leaders to be members of the OPC. They may have to defend the interests of their respective bargaining unit members, while, at the same time investigating, disciplining or judging the fitness to practise of these same individuals. One person cannot be a defender and a judge at the same time.

"I urge you to give serious consideration to finding a resolution to concerns affecting the 5,000 principals and vice-principals who are represented by the Ontario Principals' Council.

"Yours very truly,

"Donna Cansfield

"MPP Etobicoke Centre."

So I say to members opposite—who were jeering me when I was suggesting that this council should not be overborne by the teachers' federation, that somehow this was a remnant of the previous government, which has it in for teachers—no. A member of your own cabinet, who fully understands the teaching profession and what the focus and the purpose of the Ontario College of Teachers should be, has expressed her opinion and appealed to your own minister, as I am appealing. I am saying nothing different than Donna Cansfield, the Minister of Energy, who sits with the minister in cabinet. I'm saying, listen to her, if not to me, if not to members of the opposition and if not to members of the public.

I'm going to move on to another issue, which deals with teacher qualification. The legacy of this Minister of Education is that he has dismantled all of the professional development initiatives that were put in place by previous governments.

*Interjections.*

**Mr. Klees:** Once again, I hear the jeering.

I want to point out again that it wasn't the machinations of the previous government, by the way, that dreamt up the important need for mandatory professional development for teachers. Oh, no; let's remember where it came from. Do you recall, members of the Liberal government, the Royal Commission on Learning? Do you remember it? It was the Royal Commission on Learning that made, as its number one recommendation, teacher professionalization and development.

I quote: "No serious reform of schools is possible without the enthusiastic participation of teachers. Teachers are the heroes of education, but they must have greater support in playing their vital and difficult roles. The commission recommends that teacher preparation be extended from one year to two years, and, in recognition of the need to continually update knowledge and skill, that professional development be mandatory"—that all educators receive it. "Mandatory." That was not something that the previous government dreamt up; that was the recommendation of the Royal Commission on Learning, which has been dismantled by this government.

This government goes on to eliminate not only the mandatory professional development of teachers; they've gone one step further now and eliminated the teacher qualification tests. For the members of the public, here's

what that means. It means that we have teachers who go through the college of teachers—teacher training—and, when they leave their college, they've gone through the academic process of learning how to become teachers. And at one time there used to be a test to determine whether or not these teachers had in fact achieved the level of knowledge and qualification they should have to enter a classroom. That now is no longer there. They have eliminated the teacher qualification test. This is obviously in contradiction to the Premier himself.

**1710**

It's interesting that, on the issue of the college of teachers, the Minister of Education didn't listen to his cabinet colleague. On this issue of a teacher qualification test, he clearly hasn't listened to the Premier either, because here is what the Premier said on May 22, 1999. He said this in a very public forum. He said this on Focus Ontario, and I quote the transcript. For members opposite who may want to see it, it will be in Hansard and I'll give you the original.

"I agree that teachers should be tested. New teachers should be tested. I think that teachers should be tested as nothing more and nothing less than professionals. So I think they should have the same responsibilities when it comes to testing as lawyers and doctors and accountants and architects and so on. They're all tested at the beginning of their professional careers in order to be admitted to the profession."

That is the Premier. This legislation that's before us, Bill 78, eliminates that. In a jurisdiction where we are graduating literally thousands of students every year and we say that we have as our objective to have the best-qualified students so that when they graduate they can be competitive with students from other jurisdictions and other countries, doesn't it make sense that we would have the best-qualified teachers entering our classrooms? The Premier of the province agreed with that, and the legacy of this Minister of Education is that he will eliminate the teacher qualifying test and replace it with something that is called a teacher induction process, a mentoring process. Very interesting. The fact is that there is teacher mentoring going on now. There is an induction—

*Interjections.*

**Mr. Klees:** Absolutely there is, and there has been. The problem is that now we're going to have the mentoring taking place but without the initial qualifying test. Sad. I can tell you, this is very much contrary to the verbiage that we heard from members opposite coming to us when they were speaking on this issue.

I want to point something out as well, just as an aside. Let's talk about the qualification of teachers. Much is said about the performance of our students in math, for example. The objective that has been set by this government is that they want 75% of all students to have a passing grade in mathematics and literacy. That's great. But here is the legacy of this minister: Instead of providing the supports to those students and helping them to achieve the standards so that they can be competitive with students from other jurisdictions and other provinces



and other countries, the legacy of this minister is to say, "We'll achieve our pass rate by dummifying down the curriculum." And now we're dummifying down the teachers; now we're going to take away the qualifying test.

With regard to grade 9 math, I would suggest that what we need are teachers who are truly qualified to teach mathematics at that very important entry level. We have in many schools across this province today teachers teaching mathematics in grade 9 who are not qualified to teach mathematics. I would have applauded an initiative by this minister to say, "In order to raise the quality of our students, we will insist from this point forward that any mathematics teacher in grade 9 must have a mathematics degree." There are jurisdictions where in fact that is a requirement. I hear members of the government jeering and howling. Why is that such a bad idea? What is wrong with requiring qualified teachers to teach our students some of the building blocks of education?

Instead, the legacy of this minister is to dummy down the curriculum, dummy down the requirements for teachers. Not only that; this is the same education minister who announced a few months ago that he was going to remove calculus from the mathematics courses in our high schools.

**Mr. McMeekin:** Have you ever used your calculus?

**Mr. Klees:** The member from Ancaster–Dundas–Flamborough–Aldershot said, "Have you used your calculus?" Let me tell you, sir, that every engineer and every person in the high-tech business, every leader of business, has in fact not only used it but has based his entire career on that. That is why professional engineers have lobbied this government and have tried to talk some sense into them, and that's why this minister has backed away from that. He has backed away and said, "Well, let's think about it." Thank God he's leaving, because hopefully someone else who's going to be Minister of Education will understand that you have to build up our students. You have to educate them, help them to become the best they can be, not through a watered-down piece of legislation that undermines the very foundations of our education system, and that is exactly what is happening here.

I'd like to move on and speak, if I could, about another aspect of this bill, and that has to do with trustees. My friend spoke at length about how this bill is going to build confidence in trustees and allow for more local decision-making. That's why I said at the outset that I wonder if the member has even read the bill, and I don't mean that in an insulting way. I simply mean it from the standpoint that I know what the bill does. I know it undermines trustees and their decision-making. I have had trustees and trustees' associations in my office, face to face, discussing these issues with me. I would like to read into the record some of the public record on this. Here is a newspaper article, the Guelph Mercury dated March 21, 2006, and I quote:

"It's not surprising some local school board officials smell two things when they get close to Bill 78: Paper and politics.

"Take a whiff of Bill 78, unveiled this month by Education Minister Gerard Kennedy, and you'll see why the leaders of your school district are concerned about this proposed law that would limit their role in educating Guelph's children.

"Facing an election in 2007, the Liberals need to prove to voters they're spending their money well—and they've spend a lot of it on education. That's why the word 'accountability' gets tossed around like a beach ball every time the education minister speaks.

"Where is the local decision-making?" asks Borden, chairperson of the Upper Grand District School Board. His counterpart, Wellington Catholic board chairperson Marino Gazzola, says, "Bill 78 takes away the autonomy and authority of local school boards," contrary to the rhetoric of the members who were given their speaking notes by the minister.

You see, the people who have read the legislation and understand it understand what it means to them. "To me, it's overkill," Borden says. "Bill 78 also proposes to give unionized teachers the majority on the Ontario College of Teachers"—interesting—"which is supposed to protect the public interest by adding six elected teacher positions. Critics worry that handing control of the college to the unions will weaken its ability to discipline bad teachers and regulate the profession." That's not me saying this. These are education stakeholders. These are people who understand the import of this legislation. So once we get beyond the rhetoric of this legislation, we start to see what is really happening.

1720

I want to refer to a speech that was given by the minister to the College of Teachers on June 3, 2005. This goes back to the issue of integrity and some of the doublespeak that we're hearing. Here is what the Minister of Education said at that time: "You are the body to look after the public interest in teaching—not the teacher interest of teaching, not the government interest of teaching—the public interest of teaching. And therefore I think it is essential that you as a group strive in various ways, unaided by me or by the government, to understand where the public is coming from, what information they need to reconcile their view of what's happening in education. There is obviously a role for myself as an elected official, as a politician, to do that, and certainly that is what I feel my job as minister is, but I think you're in a unique position to contribute to that"—to contribute to the public interest. My question is, if the minister believed that as he spoke to the college of teachers, why did he come forward with Bill 78, which is such a counterproductive measure?

In the same speech I also refer to, and I'm going to quote the minister for the record; from the transcript, the minister, in speaking about teacher testing, says the following: "Here is where the public role comes in. The public needs to know that there are systems in place, because when you say to the public, 'Should you test teachers?' 85% of them say yes. Now, part of that is just the psychology that says, 'They tested us, and sure, we



test them right back,' but there is another part of that which is just to say that they appreciate and understand there should be some basis by which teachers—not denigration of teachers, that they do believe that that's a trust position. They want to know who gets to assume it and how."

He goes on here to say that, on the one hand, he acknowledges that 85% of the people want teachers to be tested, but then goes on to suggest to them that perhaps there's a way to equivocate around that. I don't believe that the public is going to be satisfied with the minister's intention here, with the minister's desire, on the one hand, to meet his campaign obligations and, on the other hand, that he is prepared to compromise what he knows is right, what he knows is the right thing to do, but he still refuses to do it.

I want to refer as well to the issue of the professional development days. Do we believe that teachers should have professional development? Yes. It's interesting that this very government is the government that eliminated the mandatory professional development program for teachers, which was very structured, which required a very specific curriculum, which provided all kinds of latitude for teachers to improve themselves. They eliminated that by repealing the previous government's legislation. But now we have them coming forward and saying, "Well, we really do believe in professional development, so what we're going to do is add some additional professional development days into the school year."

We know what that means. Here's what it means to students: It means a day off. Here's what it means to parents: It means a day off school for their kids, which means another day for which they have to find daycare, for which they have to take time off work, for which they have to be inconvenienced within their own lives to accommodate this additional time for teachers.

Again, I know what members of the government are going to say, and I know what members of the teachers' unions are going to say about me as I even dare to raise this issue, because somehow this is teacher-bashing.

This is an article from the Star, March 4, 2006:

"Ontarians may well question the need for adding extra development days during the existing school year. They can legitimately argue that if such days are indeed needed, then they should be held during the many weeks when teachers are not in the classroom.

"Currently, most teachers are not in the classroom during the two-month summer school break, during the Christmas holiday period and during March break.

"At the same time, thousands of parents will be forced either to take time off work to look after their children on the additional professional development days, or find other arrangements for their children.

"Kennedy will try to ensure the value of the additional time by retaining the 'authority to determine the purpose of PA days.'

"Teachers argue such training makes them better at their jobs.

"But in this case, they should not expect parents and taxpayers to greet this news with much enthusiasm."

These are an education writer's words, not mine. But I can tell you that I have heard from a number of parents who are somewhat familiar with this legislation, who have said to me, "Isn't enough, enough? If we require additional training of teachers, is that not something that can be done at the time when other professions do their professional development, whether it's for the last two days or the first two days of the school year?"

Why don't we add another week? I think that's wonderful. Let's do that. Why do we have to encroach on the school year when it's going to take kids out of the classroom for the additional two days and it's going to inconvenience parents for the additional two days? Isn't there a contradiction when we talk about this in terms of being in the best interests of our students? How can it be in the best interests of our students to remove them from the classroom for an additional number of hours?

Once again, Bill 78: I just do not understand, frankly, how members of the government can buy in to what has been told them in their speaking notes. All it takes is reading the legislation.

1730

I have a few minutes left, and I'd like to refer to some very specific aspects of this legislation. The bill makes reference to another aspect that I would think trustees are very concerned about, that every classroom teacher would also be concerned about, and I'm surprised that we haven't heard much about it. Maybe it's because they're not aware that it's here. I'm surprised that members of the government, in their rhetoric, failed to mention that section 8 of the Education Act is being amended by adding the following subsection. The subsection is entitled "Collection of personal information." Subsection (2) reads:

"The minister may collect, directly or indirectly, such personal information as is reasonably necessary for purposes related to,

"(a) administering this act and the regulations, and implementing the policies and guidelines made under this act;

"(b) ensuring compliance with this act, the regulations, and the policies and guidelines made under this act;

"(c) planning or delivering programs or services that the ministry provides or funds, in whole or in part, allocating resources to any of them, evaluating or monitoring any of them or detecting, monitoring and preventing fraud or any unauthorized receipt of services or benefits related to any of them;

"(d) risk management, error management or activities to improve or maintain the quality of the programs or services that the ministry provides or funds, in whole or in part; and

"(e) research and statistical activities conducted by or on behalf of the ministry."

This is a very frightening piece of legislation. Had the previous government introduced something like this, there would have been screams. There would have been



headlines. For some reason, this goes unnoticed: "The minister may collect, directly or indirectly, such personal information as is reasonably necessary" for all those purposes. That's about as broad—you can drive a Mack truck through all those purposes.

I want to know, and at some point we're going to demand of the minister—first of all, we're going to ask that that be removed, because it is unconscionable that any minister of the crown should be given the authority to collect personal information, directly or indirectly, without narrowing down about whom that is to be collected, for what specific purposes. I know they're going to say, "Well, we'll deal with all of that in regulation. We'll narrow it down."

This is legislation. I don't trust this government. I don't believe the general public will trust this government. I don't believe the teachers should trust this government to be allowed to have this kind of personal information gathered about them, either directly or indirectly. Certainly the trustees shouldn't be given that kind of information. Nobody should trust this government when it comes to this section of the legislation, and I believe that the minister's legacy in Bill 78, as he leaves this place, will be something that will haunt him, because we won't accept his written notes that tell us how wonderful a piece of legislation this is. The third party won't accept it, because we can see—we've actually read it. It will follow him. Not only have we read it; I think we understand what the implications are, contrary to members of his own caucus, obviously; perhaps contrary to members of his own cabinet.

This bill will find its way, no doubt, to the standing committee. In the standing committee, we will ask the questions, and we would expect that there will be major amendments to this legislation that will make it respectful—the terminology they use, saying that they want to introduce respect through this legislation. Well, there is no greater piece of legislation that has seen the halls of this place that disrespects its stakeholders more than Bill 78, whether that be teachers or trustees, and certainly whether that be the public. Because what this bill does in various sections is it absolutely transfers the authority of decision-making within local school boards on everything. The catch-all phrases that are in this legislation mean simply that those trustees who are elected by the public to represent the public interest are essentially powerless as a result of Bill 78.

Those members of the government caucus who are shaking their head today—I tell you, folks, read the legislation. Allow one or two trustees who understand this to have a meeting with you so that they can explain it to you. You'll stop shaking your head about what I'm saying and you'll start shaking it about your former Minister of Education, because you won't believe what he's tried to do here.

In closing, I would say that there is one section of this bill that I support, and that's the section of the bill that allows for more public use of school facilities. That actually suggests that there will be resources provided by

the government to ensure that the community has access to the schools for which they paid through their tax dollars and to which their children should have access.

It is a shame that we have young people who are spending their spare time on the streets and in malls doing things that they shouldn't be doing but often do because there's nothing positive to do. I believe that every school in every community should be seen as a community centre. I applaud the government for taking this initiative. I will support them, regardless of what the financial resources are, regardless of what it takes to implement that part of the bill. It's the right thing to do and I support it wholeheartedly. Our young people should be in those schools in the afternoons, after school and on weekends, taking advantage of the facilities that the taxpayers have put there. I believe that that is a very positive step in this bill.

With regard to the rest, as I said before, this Minister of Education is leaving a legacy through Bill 78 that I believe will haunt him and will in fact do a great deal of harm to our education system if it is not amended and if this government does not see the wisdom of making those changes.

**The Deputy Speaker:** Questions and comments?

**Mr. Marchese:** I was very pleased to find two areas of agreement with the member from Oak Ridges, and they are significant, I must admit. One of them was the matter of the funding formula, and the other one was the latest comment that he made around the extraordinary powers that the Liberal government has given itself through section 11.1.

On the issue of the funding formula, the member from Oak Ridges is quite knowledgeable about this. He would know that when they reformed education financing in 1998, they deliberately cut back funds by centralizing funds, disallowing boards of education to be able to raise money to pay for their education needs, and gave themselves the power to distribute funds according to what they saw fit. The problem with the Conservative funding formula of 1997-98 was that it set the benchmarks too low, which means that many of the programs today, in 2005-06, are not getting the money they should be getting, and that's what the member from Oak Ridges was speaking to.

**1740**

So I say to him, he's knowledgeable about this because they had a hand in putting together that Conservative funding formula that they now, in opposition, see as being a flawed one. He quite correctly is saying that the Liberal government is continuing with that Conservative funding formula, which was inadequate and continues to be inadequate and does not and cannot pay for the programs of 2005-06 in an adequate manner. He's right.

The other matter, which is too long and which I will have to tackle in my own speech when I have time, has to do with section 11.1, where the Lieutenant Governor in Council may make regulations prescribing—

**The Deputy Speaker:** Thank you.



**Mr. Marchese:** Time flies. Thank you, Speaker.

**The Deputy Speaker:** Questions and comments?

**Ms. Caroline Di Cocco (Sarnia-Lambton):** It's a pleasure to rise and respond to some of the comments that have been made.

It's important that we return to the essence of what this bill is about. Again, this bill enables a number of policy changes as substantive housekeeping that support the goal of increasing student achievement—and it is about the student. This bill does enable that lowering of class sizes; long-term collective teacher agreements; formal on-the-job learning as the second step in teachers' professional development; teacher performance appraisals that improve teacher development; a revitalized college of teachers that has the confidence of its members and the public and allows professional development days to be added as needed; and trustee respect. And it recognizes child care spaces.

I just want to add one comment in regard to the member from Oak Ridges, who agrees with the section on public use of spaces in schools. I hope that he remembers and recalls the history over the last 10 years of why the public use of schools was eroded. I hope he understands the impact that has had on many of those organizations, including Boys and Girls Clubs and other entities that used those schools after hours to support many, many young people who would otherwise have no other place to go.

**Mr. Toby Barrett (Haldimand-Norfolk-Brant):** I found the presentation by the member from Oak Ridges captivating. I say that as a former secondary school teacher and a former member of OSSTF.

I really feel that the actions of this present Minister of Education fly in the face of any legacy he may wish to have from Bill 78. This particular minister promised a new transportation funding formula to keep the buses running, and he failed to deliver. He promised a new rural funding formula to keep our schools open. Again, he failed to deliver. As a former teacher, granted, I will give this minister an A for announcement, but I give him a D for delivery.

As the member for Oak Ridges explained, what we see here is a shuffling of money, a robbing of Peter to pay Paul, if you will. Obviously, Peter is not happy, and even Paul begins to question what's going on with this kind of shuffling of the deck.

As their education critic will know, schools are closing across Ontario, northern Ontario, and in particular rural Ontario. This bill ignores the promise, the commitment, to bring forward that new funding formula to keep the schools open. Many people in small-town Ontario voted for the McGuinty government specifically around the commitment to keep schools open. That promise has not been kept.

There's certainly been much discussion about teacher testing. Again, as a former secondary school teacher, I do agree with Premier McGuinty's statement that he agrees that teachers should be tested. My question now is, who got to McGuinty? What happened?

**Mr. Norman W. Sterling (Lanark-Carleton):** One of the problems that I think needs to be understood—and it was outlined by the member for Oak Ridges—is the whole concept of what the college of teachers, the college of physicians, the Law Society of Upper Canada, the Ontario Society of Professional Engineers and all of those different bodies' actual *raison d'être* is. Their reason for existence is to protect the public.

I'm a member of two different regulatory bodies: the professional engineers and the Law Society of Upper Canada. While their work is important, I feel that the work of the college of teachers is even more important, because they are put in charge of the people to whom we entrust our children and our grandchildren. Often those kids don't have the opportunity to speak up for themselves. Therefore, I feel that the college of teachers, above all other colleges, above all other self-management, self-regulating professional bodies, has to be the squeakiest-clean, has to be the most vigilant in seeking out wrongs with regard to their profession in terms of what they do. Therefore, I commend the member here for bringing these issues to the fore.

We cannot allow a union, which represents perhaps the other side of the argument when a discipline matter is brought forward, to appoint or to indicate whom the profession should put on this very important body. That vigilance is so important.

**The Deputy Speaker:** Response, the member for Oak Ridges.

**Mr. Klees:** I want to just make reference to a comment made by the member for Sarnia-Lambton. I believe, with all due respect, that members have not taken the time to review this legislation, because in her remarks she made reference to the fact that this legislation supports the class size limitations. In fact, it does the very opposite. What this legislation does is actually allow for an averaging of class sizes. It's another reversal on the part of this government on the whole issue of class size.

This minister has performed with excellence when it comes to making announcements week in and week out. He has had the applause of stakeholders because of those announcements.

Once again I challenge education stakeholders and I challenge the public to look at the performance and the outcomes under this minister's responsibility. When you look at what Bill 78 actually says and what it does and what the practical implications are to our education system, it is everything but what this minister would have us believe. Anyone who does not go beyond the headlines and any member of this Legislature who does not go beyond the speaking notes will not understand fully the implication of the undermining of education that Bill 78 represents.

**The Deputy Speaker:** Further debate?

**Mr. Marchese:** I, first of all, want to welcome the citizens to this parliamentary channel, where we're still on live. We've got another 10 minutes before 6 o'clock comes about, and that ends today's session, at least until



a quarter to 7 this evening. So I tell you, this is one of the best programs you could be watching because you learn so much from the government and opposition members. You've got to stay tuned; don't leave us.

1750

I begin on Bill 78 by saying that the Liberal government calls it the student performance bill. Even the member from Sarnia-Lambton said, "This is about student performance," and made it really appear that that's what it's about. It reminds me of the former Conservative government when it used to introduce its bills such as—just one example of so many—the Tenant Protection Act. Do you recall, Speaker? Were you around then? They called it the tenant protection package before it became the Tenant Protection Act. Tenants must have thought, "This is great. This is about me; it's about tenants. It's going to help me." There was nothing in that bill that was about tenants. It was about whacking tenants. It was really about landlords, with whom the Conservatives have a very, very close relationship. The Liberal government introduces this bill today and says it's the student performance bill.

What I'm trying to suggest is that the Liberal government has learned a great deal from the Tories; they mimic very well what the Tories used to do. They have the Tories as an example, as great leaders from whom to learn. Rather than call the bill what it is, an education statute law amendment act, which is an omnibus bill, something Liberals used to detest when they were in opposition, but it's okay once you're in government—why couldn't they just call it the Education Statute Law Amendment Act and say, "There are a lot of amendments here, some good, some bad. We're going to be debating it"? But they label it a student performance bill, which it is not.

You understand what I'm saying, Speaker. I raise it with you, because the others are engaged in other matters. I like engaging you, because you are a very attentive person in this Legislature, and besides, you've got to be.

I wanted to begin by talking about this bill and unmasking—exfoliating—the bill a little bit, and I wanted to begin with the title. Then I want to get into some of the areas where I have some agreement, because sometimes we get labelled as simply being too negative all the time, something that Mr. Bradley, the Minister of Tourism, understands, or at least understood when he was in opposition. I don't want to appear too negative all the time, so I desperately tried to find some areas of agreement.

One of them has to do with trustee salaries—I think one of the Liberal members mentioned trustee salaries. I forget who it was, whether it was Don Valley West—

*Interjection.*

**Mr. Marchese:** Ancaster-Dundas-Flamborough-Aldershot. You talked about trustees' salaries, I think. It wasn't long, but at least you mentioned it. I think it's a very useful thing, because I have to tell you—and I agree—

**Mr. McMeekin:** It's the right thing to do.

**Mr. Marchese:** It's the right thing to do. I have negatives there as well, and I want to show you how.

The Conservative government beat up on trustees unlike any other government before; it's a fact. Trustees used to earn a decent salary, in recognition of the fact that many trustees were doing the job full-time. The member from Don Valley West understands this, because she spent a great deal of time as a school trustee; I would venture to say close to full-time.

When I was a trustee, many of us made a full-time job of it because we believed in it; we believed it was full-time and we believed it was as valuable as anything former city councillors did. We believed that education is political; yes. Education is politics; you can't deny it or hide it. Many of us felt that those who devoted much of their lives to the job of being a trustee full-time deserved a decent salary.

Some people gave up their jobs. I quit as a teacher to be a full-time trustee. Some people might say, "Well, that was your option," and I understand that. But many of us believed that to do the job well required trustees to be there on a regular basis. If you require that, and you believe in it, you should pay them a decent wage.

The Tories didn't believe that. They didn't like trustees. They wanted to make politics of the issue of trustees, as if somehow only trustees were political and only MPPs could become political or could be political, but trustees could not, as if somehow to be a trustee was a neutral job, as if somehow to be an MPP was a neutral job. Politics is not neutral. When you're a trustee, city councillor or MPP, it's politics, and the Tories wanted to beat up on trustees to make politics of it. It was a highly political issue. To accuse trustees of being political is highly political. They knew it and they made hay of it, I can tell you that.

Their salaries were capped at 5,000 bucks. That reduced their level of interest, I can tell you, but not for all trustees because some trustees still did the job full-time. In Toronto, where I have much experience, the parents here demand that you are reachable. They demand that you are there when they call you. They expect you to return their calls, and that kind of expectation means that trustees ought to be there, and not just possibly at night and not just possibly being reached on Saturdays or Sundays.

This is a positive thing that I'm raising here with respect to this bill, and I wanted to say that what the Liberals are doing is a very useful, practical thing. Since the Tories, it recognizes that trustees play an important role in education, and it's going to increase their salaries. Not they, but boards, after some process, will be able to have an increase in salary, up to, I'm told—and we don't know this—\$20,000. With some boards, that's not a lot; for some boards, it may be a lot. But \$20,000 is better than \$5,000, and it begins to recognize the hard work that many trustees do.

But as it recognizes that trustees are important, it still keeps something that the Tories introduced while they



were in government, and that is this section under "Personal liability of members of the board":

"(3) If a board that is subject to an order made under subsection 257.31 (2) or (3) applies any of its funds otherwise than as the minister orders or authorizes, the members of the board who voted for the application are jointly and severally liable for the amount so applied, which may be recovered in a court of competent jurisdiction."

I'm just wondering whether the member from Don Valley West and the member from Guelph-Wellington, who have a great deal of experience in this field, agree with that section, and I'm wondering whether in the debates with the minister they raise this as a particular matter of concern, because I believe it is. I believe when you're talking about a partnership with yourselves and boards and teachers, this section says, "Obey or else. Obey and/or you will be punished politically and financially and, yes, we'll take you to court if need be." I wonder how that sets the tone for a partnership in education. I'm wondering whether the member from Don Valley West has an opinion on this when she has a two-minute response next Wednesday, or my good friend

from Guelph-Wellington, because what I think this particular section does is say to boards, "We don't trust you." It's to say to trustees, "We don't trust you." It's to say to them, "By the way, you better do as you were told," even though the funding formula may be inadequate and you don't have enough money to deal with all of the funding pressures you have in the board of education. Even though that may be the case, should you decide, as the Peel board did about a month ago, that they would not make the \$14-million cuts in order to balance the budget, even though the funding formula is inadequate and they couldn't make do, boards could be punished and trustees are individually liable." So much for the trust that you have for boards of education and for trustees.

Speaker, are you hinting that we may have come to the time? Just for your benefit and the benefit of the citizens of Ontario, this debate will continue Wednesday night at 6:45. I hope they join us then.

**The Deputy Speaker:** It being 6 of the clock, this House is adjourned until 6:45.

*The House adjourned at 1800.*

*Evening meeting reported in volume B.*













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<b>Crozier, Bruce (L)</b>	Essex	Deputy Speaker, Chair of the committee of the whole House / Vice-Président, Président du comité plénier de l'Assemblée législative
<b>Delaney, Bob (L)</b>	Mississauga West / Mississauga-Ouest	Parliamentary assistant to the minister responsible for seniors / adjoint parlementaire au ministre délégué aux Affaires des personnes âgées



Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Dhillon, Vic (L)	Brampton West–Mississauga / Brampton-Ouest–Mississauga	
Di Cocco, Caroline (L)	Sarnia–Lambton	Parliamentary assistant to the Premier / adjointe parlementaire au premier ministre
<b>Dombrowsky, Hon. / L'hon. Leona (L)</b>	Hastings–Frontenac–Lennox and Addington	Minister of Agriculture, Food and Rural Affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
Duguid, Brad (L)	Scarborough Centre / Scarborough-Centre	Parliamentary assistant to the Minister of Municipal Affairs and Housing (Municipal Affairs) / adjoint parlementaire au ministre des Affaires municipales et du Logement (Affaires municipales)
<b>Duncan, Hon. / L'hon. Dwight (L)</b>	Windsor–St. Clair	Minister of Finance, Chair of the Management Board of Cabinet / ministre des Finances, président du Conseil de gestion du gouvernement
Dunlop, Garfield (PC)	Simcoe North / Simcoe-Nord	
Flynn, Kevin Daniel (L)	Oakville	Parliamentary assistant to the minister responsible for democratic renewal / adjoint parlementaire à la ministre responsable du Renouveau démocratique
Fonseca, Peter (L)	Mississauga East / Mississauga-Est	Parliamentary assistant to the Minister of Health Promotion / adjoint parlementaire au ministre de la Promotion de la santé
<b>Gerretsen, Hon. / L'hon. John (L)</b>	Kingston and the Islands / Kingston et les îles	Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement
Gravelle, Michael (L)	Thunder Bay–Superior North / Thunder Bay–Superior-Nord	
Hampton, Howard (ND)	Kenora–Rainy River	Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Hardeman, Ernie (PC)	Oxford	
Horwath, Andrea (ND)	Hamilton East / Hamilton-Est	
Hoy, Pat (L)	Chatham–Kent Essex	
Hudak, Tim (PC)	Erie–Lincoln	
Jackson, Cameron (PC)	Burlington	
Jeffrey, Linda (L)	Brampton Centre / Brampton-Centre	Parliamentary assistant to the Minister of Children and Youth Services / adjointe parlementaire à la ministre des Services à l'enfance et à la jeunesse
<b>Kennedy, Hon. / L'hon. Gerard (L)</b>	Parkdale–High Park	Minister of Education / ministre de l'Éducation
Klees, Frank (PC)	Oak Ridges	
Kormos, Peter (ND)	Niagara Centre / Niagara-Centre	New Democratic Party House leader / leader parlementaire du Nouveau Parti démocratique
Kular, Kuldip (L)	Bramalea–Gore–Malton–Springdale	Parliamentary assistant to the Minister of Health and Long-Term Care / adjoint parlementaire au ministre de la Santé et des Soins de longue durée
<b>Kwinter, Hon. / L'hon. Monte (L)</b>	York Centre / York-Centre	Minister of Community Safety and Correctional Services / ministre de la Sécurité communautaire et des Services correctionnels
Lalonde, Jean-Marc (L)	Glengarry–Prescott–Russell	Parliamentary assistant to the Minister of Economic Development and Trade / adjoint parlementaire au ministre du Développement économique et du Commerce
Leal, Jeff (L)	Peterborough	Parliamentary assistant to the Minister of Energy / adjoint parlementaire à la ministre de l'Énergie
Levac, Dave (L)	Brant	Chief government whip / whip en chef du gouvernement
Marchese, Rosario (ND)	Trinity–Spadina	
Marsales, Judy (L)	Hamilton West / Hamilton-Ouest	Parliamentary assistant to the Minister of Economic Development and Trade (Small Business) / adjointe parlementaire au ministre du Développement économique et du Commerce (Petites entreprises)
Martel, Shelley (ND)	Nickel Belt	
Martiniuk, Gerry (PC)	Cambridge	
Matthews, Deborah (L)	London North Centre / London-Centre-Nord	Parliamentary assistant to the Minister of Community and Social Services and minister responsible for women's issues / adjointe parlementaire à la ministre des Services sociaux et communautaires et ministre déléguée à la Condition féminine

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
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McMeekin, Ted (L)	Ancaster–Dundas– Flamborough–Aldershot	Parliamentary assistant to the Minister of Education / adjoint parlementaire au ministre de l'Éducation
McNeely, Phil (L)	Ottawa–Orléans	Parliamentary assistant to the Minister of Transportation / adjoint parlementaire au ministre des Transports
<b>Meilleur, Hon. / L'hon. Madeleine</b> (L)	Ottawa–Vanier	Minister of Culture, minister responsible for francophone affairs / ministre de la Culture, ministre déléguée aux Affaires francophones
Miller, Norm (PC)	Parry Sound–Muskoka	Chief opposition whip / whip en chef de l'opposition
Milloy, John (L)	Kitchener Centre / Kitchener-Centre	Parliamentary assistant to the Minister of Intergovernmental Affairs / adjoint parlementaire à la ministre des Affaires intergouvernementales
Mitchell, Carol (L)	Huron–Bruce	Parliamentary assistant to the Minister of Public Infrastructure Renewal / adjointe parlementaire au ministre du Renouvellement de l'infrastructure publique
Mossop, Jennifer F. (L)	Stoney Creek	Parliamentary assistant to the Minister of Culture and minister responsible for francophone affairs / adjointe parlementaire à la ministre de la Culture et ministre déléguée aux Affaires francophones
Munro, Julia (PC)	York North / York-Nord	Deputy opposition whip / whip adjoint de l'opposition Parliamentary assistant to the Minister of Natural Resources and minister responsible for aboriginal affairs / adjoint parlementaire au ministre des Richesses naturelles et ministre délégué aux Affaires autochtones
Murdoch, Bill (PC)	Bruce–Grey–Owen Sound	
O'Toole, John (PC)	Durham	
Oraziotti, David (L)	Sault Ste. Marie	
Ouellette, Jerry J. (PC)	Oshawa	Parliamentary assistant to the Minister of Community and Social Services (Disabilities) / adjoint parlementaire à la ministre des Services sociaux et communautaires (Personnes handicapées)
Parsons, Ernie (L)	Prince Edward–Hastings	
Patten, Richard (L)	Ottawa Centre / Ottawa-Centre	Parliamentary assistant to the Minister of Training, Colleges and Universities / adjoint parlementaire au ministre de la Formation et des Collèges et Universités
<b>Peters, Hon. / L'hon. Steve</b> (L)	Elgin–Middlesex–London	Minister of Labour / ministre du Travail
Peterson, Tim (L)	Mississauga South / Mississauga-Sud	Parliamentary assistant to the Minister of Health and Long-Term Care / adjoint parlementaire au ministre de la Santé et des Soins de longue durée
<b>Phillips, Hon. / L'hon. Gerry</b> (L)	Scarborough–Agincourt	Minister of Government Services / ministre des Services gouvernementaux
Prue, Michael (ND)	Beaches–East York / Beaches–York-Est	Minister of Community and Social Services, minister responsible for women's issues / ministre des Services sociaux et communautaires, ministre déléguée à la Condition féminine
<b>Pupatello, Hon. / L'hon. Sandra</b> (L)	Windsor West / Windsor-Ouest	
Qaadri, Shafiq (L)	Etobicoke North / Etobicoke-Nord	Parliamentary assistant to the Minister of Health Promotion / adjoint parlementaire au ministre de la Promotion de la santé
Racco, Mario G. (L)	Thornhill	Parliamentary assistant to the Minister of Labour / adjoint parlementaire au ministre du Travail
Ramal, Khalil (L)	London–Fanshawe	Parliamentary assistant to the Minister of Citizenship and Immigration / adjoint parlementaire au ministre des Affaires civiques et de l'Immigration
<b>Ramsay, Hon. / L'hon. David</b> (L)	Timiskaming–Cochrane	Minister of Natural Resources, minister responsible for aboriginal affairs / ministre des Richesses naturelles, ministre délégué aux Affaires autochtones



Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Rinaldi, Lou (L)	Northumberland	Parliamentary assistant to the Minister of Agriculture, Food and Rural Affairs (Rural Affairs) / adjoint parlementaire à la ministre de l'Agriculture, de l'Alimentation et des Affaires rurales (Affaires rurales)
Runciman, Robert W. (PC)	Leeds–Grenville	Opposition House leader / leader parlementaire de l'opposition
Ruprecht, Tony (L)	Davenport	
Sandals, Liz (L)	Guelph–Wellington	Parliamentary assistant to the Minister of Government Services / adjointe parlementaire au ministre des Services gouvernementaux
Scott, Laurie (PC)	Haliburton–Victoria–Brock	
Sergio, Mario (L)	York West / York-Ouest	Parliamentary assistant to the Minister of Municipal Affairs and Housing (Housing) / adjoint parlementaire au ministre des Affaires municipales et du Logement (Logement)
Smith, Monique M. (L)	Nipissing	Parliamentary assistant to the Minister of Health and Long-Term Care / adjointe parlementaire au ministre de la Santé et des Soins de longue durée
<b>Smitherman, Hon. / L'hon. George (L)</b>	Toronto Centre–Rosedale / Toronto–Centre–Rosedale	Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée
Sorbara, Greg (L)	Vaughan–King–Aurora	
Sterling, Norman W. (PC)	Lanark–Carleton	
<b>Takhar, Hon. / L'hon. Harinder S. (L)</b>	Mississauga Centre / Mississauga–Centre	Minister of Transportation / ministre des Transports
<b>Tascona, Joseph N. (PC)</b>	Barrie–Simcoe–Bradford	Second Deputy Chair of the committee of the whole House / Deuxième Vice-Président du comité plénier de l'Assemblée législative
Tory, John (PC)	Dufferin–Peel–Wellington–Grey	Leader of the Opposition / chef de l'opposition
Van Bommel, Maria (L)	Lambton–Kent–Middlesex	Parliamentary assistant to the Minister of Agriculture, Food and Rural Affairs (Agriculture and Food) / adjointe parlementaire à la ministre de l'Agriculture, de l'Alimentation et des Affaires rurales (Agriculture et Alimentation)
<b>Watson, Hon. / L'hon. Jim (L)</b>	Ottawa West–Nepean / Ottawa–Ouest–Nepean	Minister of Health Promotion / ministre de la Promotion de la santé
Wilkinson, John (L)	Perth–Middlesex	Parliamentary assistant to the Minister of the Environment / adjoint parlementaire à la ministre de l'Environnement
Wilson, Jim (PC)	Simcoe–Grey	Deputy opposition House leader / leader parlementaire adjoint de l'opposition
Witmer, Elizabeth (PC)	Kitchener–Waterloo	
Wong, Tony C. (L)	Markham	Parliamentary assistant to the Minister of Research and Innovation / adjoint parlementaire au ministre de la Recherche et de l'Innovation
Wynne, Kathleen O. (L)	Don Valley West / Don Valley–Ouest	Parliamentary assistant to the Minister of Education / adjointe parlementaire au ministre de l'Éducation
Yakabuski, John (PC)	Renfrew–Nipissing–Pembroke	
Zimmer, David (L)	Willowdale	Parliamentary assistant to the Attorney General / adjoint parlementaire au procureur général
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These lists appear in the first and last issues of each session and on the first Monday of each month. A list arranged by riding appears when space permits.

Ces listes figurent dans les premier et dernier numéros de chaque session et du premier lundi de chaque mois. Par contre, une liste des circonscriptions paraît si l'espace est disponible.



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# LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 3 April 2006

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 3 avril 2006

*The House met at 1845.*

**Hon. Mike Colle (Minister of Citizenship and Immigration):** Mr. Speaker, I seek unanimous consent to allow for the deferral of any recorded divisions on the budget motion until Tuesday, April 4, 2006, at deferred votes.

**The Acting Speaker (Mr. Michael Prue):** Mr. Colle is seeking unanimous consent to vary the order to—I'd better get the right wording—defer the vote until Tuesday if there's a recorded division on the main motion. Is it agreed? Agreed.

## ORDERS OF THE DAY

### 2006 ONTARIO BUDGET

Resuming the debate adjourned on March 28, 2006, on the amendment to the motion that this House approves in general the budgetary policy of the government.

**The Acting Speaker (Mr. Michael Prue):** It's my understanding that on the last occasion Mr. Bisson had spoken, and questions and comments, so it would now go for further debate to the member from Northumberland.

**Mr. Lou Rinaldi (Northumberland):** I will share my time with my good friend the member from London—Fanshawe. We make a real good tag team.

It really gives me great pleasure to spend 10 minutes—and I know we could probably use a lot longer—talking about the budget that we're debating. The budget was introduced in this House a couple of weeks ago. It has been good news, and I'm going to talk about it a little bit later. I'm also going to address some of the challenges that our local farming communities brought forward after our budget, and I'm going to address some of those later on as I think it's really important that we get the whole context and what it means to the people of Ontario and what it means to the people in my riding of Northumberland.

**Mr. Jeff Leal (Peterborough):** What's happening at World's Finest Chocolate?

**Mr. Rinaldi:** My good friend from Peterborough reminds me that World's Finest Chocolate in Campbellford has been bought out. There's no interruption in business. They're going through the process right now, and that's good for industry.

**Hon. Mike Colle (Minister of Citizenship and Immigration):** Where's that, Lou?

**Mr. Rinaldi:** In Campbellford; World's Finest Chocolate.

**Hon. Mr. Colle:** Good chocolate.

**Mr. Rinaldi:** Good chocolates; the best.

I'm going to start this evening talking a little bit about what a member of the opposition brought to our attention just at the end of last week, before we recessed for the weekend, about the lack of context in the budget in my own riding. That was the honourable member from Leeds—Grenville, repeating certain things that he picked up in a press clipping that the riding wasn't being served well. So I tell my honourable friend from Leeds—Grenville that he shouldn't be so selective when he talks about somebody's riding. I think we need to talk about the context. Yes, there are some challenges in agriculture, and, as I said, I'm going to talk about that today.

When I talk about the riding in Northumberland, including the majority of the city of Quinte West, let me tell you what some of the local leaders had to say on the day of the budget. I had the pleasure of phoning them the next morning. Here are some of the comments.

Mayor Peter Delanty from the town of Cobourg, a former warden of the county of Northumberland, had this to say in the Northumberland News on March 24:

"This provincial budget appears to have taken the plight of cash-strapped municipalities seriously." The mayor goes on to say, "Certainly it's the first in a very long time that he"—meaning the Premier—"has listened to a budget that reflects the province reaching out to help municipalities. I tip my hat to the province." That's what Mayor Peter Delanty had to say.

### 1850

In the same article from the same reporter, they quoted Christine Watts, a spokesperson for the Northumberland Coalition Against Poverty, who comments on increases to student grants for both low- and middle-income families as, "Wonderful, as is the plan by this government to ease student debt loads by forgiving student government loans that surpass \$7,000 a year."

I would also like to quote from the Port Hope Evening Guide dated March 27. It says that our new county treasurer, Steve Austin, "also compliments the funding directed towards infrastructure," specifically referring to the almost \$7.6 million in my riding to help defray some of the costs from those downloaded highways of the previous government. So it's a big help.

My good friend Mayor Bob Campney from the city of Quinte West was quoted as part of the editorial in the Trentonian on March 27. Basically, to capture his quote,



it says it's "welcome news." The editorial goes on to say—and these are not my words; they are from the editor of the newspaper—that the budget was good news. Although we might lose some child care spaces from the former federal government policy, we're committed to maintaining 14,000 child care spaces. So that's happening. And access to post-secondary education has been made a lot easier. I can tell you—I talk to families every day—that kids could not go to post-secondary, but under our plan they can.

These are words that people are saying in my riding.

I want to continue because there this is really exciting. In an article published, again, in the Port Hope Evening Guide, on March 23, the mayor of Port Hope, Rick Austin, who also happens to be the warden of Northumberland county, was clear in stating, "I think they" (this government) have helped us out in terms of ambulance services and with the gas tax." I can tell you that the imaginary math that the previous government used—the 50-50—in my riding was 67-33. The money that we brought them just this past week, with ambulance as part of our budget, is going to reduce the county tax levy of the property tax bill by 1.2%. It's uploading 1.2%.

Let's see who else I can quote from. The list goes on and on, but I want to make sure that the member from Leeds-Grenville understands all this, because he's taken such a big interest.

**Hon. Jim Watson (Minister of Health Promotion):** He's not here.

**Mr. Rinaldi:** I'm sure he read Hansard.

On March 29, the Brighton Independent quoted the mayor of Trent Hills, Mayor Hector Macmillan: "Terrific." Mayor Bill Finlay of Alnwick-Haldimand township was quoted in the same article, "The funds are needed and we do appreciate it."

I really could go on and on. I'm almost running out of time, and I've got so much to say.

**Hon. Mr. Watson:** Lou delivers.

**Mr. Rinaldi:** We deliver.

Two weeks ago I had the opportunity to announce a brand new CT scan machine for Trenton Memorial Hospital. That was one of those hospitals that the former government was thinking of closing. Not only that, but we delivered in my riding two family health teams. We also announced a community health centre. Do you know where what was? In Port Hope, where they closed the hospital.

So that's what people are saying.

I would be remiss, before I run out of time, not to talk about some of the challenges that my farming community has. They are real challenges. I meet with these guys every day, with families, with groups, and there are some real challenges. I think we're making some inroads in trying to understand. They're finally going to Ottawa this week. We need that partnership. Some \$125 million will be put forward.

*Interjection.*

**Mr. Rinaldi:** Yes. I hear it's not enough, but it's a commitment that we made regardless of what the federal folks did.

I'm working alongside my local farming community—I spoke with one of them this morning—to see what I can do to influence my federal member. I subsequently met with my federal member and gave him a letter to make sure that the present Minister of Finance and the Premier understand what the farming needs are, not just in Ontario but all of Canada.

The saying of the local farmers is, "Farmers feed cities." In a global economy, farmers feed the world, not just cities, and not just in Ontario and not just in Canada. So they need all the support we can give them. We're at the table, we want to work with them, and I am confident that our federal counterparts are going to have to come across to help them.

There is just so much that we can say. Let me tell you about some of the comments and some of the things that have happened, in a couple of seconds. The COMRIF in the first round: \$2 million in my riding. The new Ontario municipal partnership fund: When we revised the former CRF funding, what did it bring to my riding? An extra \$3.5 million. We invested in infrastructure in this budget, long overdue and long needed, as we have crumbling bridges and roads with potholes. Or we could have given a \$200 rebate to each citizen of Ontario. What they're telling me is to invest in long-overdue infrastructure needs.

I'm going to close by saying that I'm proud to be part of the government that we have here today that's so forward-thinking on education, health care and infrastructure. I tell you, this budget is well received, and I certainly look forward to further debate.

Now I pass it on to my good friend from the riding of London-Fanshawe.

**Mr. Khalil Ramal (London-Fanshawe):** Thank you to my seatmate, the member from Northumberland, for his speech about the budget and for explaining to the people of Ontario about the great budget we just talked about a couple of weeks ago. I believe it's very important to inform all the constituents across this province about the great things coming out of this budget.

People thought that when we got elected in 2003, we had one deficit. As a matter of fact, we had four: a fiscal deficit, an education deficit, a health deficit and an infrastructure deficit. That's what we were facing when we got elected. It was hidden, it didn't appear to the public, but we knew and the people of this great province gave us the chance to get elected and fix these issues, to tackle it and help them get out of it in a good and healthy way.

That's why our first initiative was to fix health care. We tried to work with all the doctors across the province of Ontario. We increased funding for hospitals. I know my great riding of London and area got more than half a billion dollars to finish the infrastructure that was started with the past government. The past government gave them a rubber check with no money. That's why they were facing so many difficulties. Our government came



to the table, listened to their concerns and funded and helped them to complete those projects.

We doubled the residency spots across the province of Ontario. My great area of London got almost 47% extra for residency to help eliminate the waiting times and help the people of this province get more doctors and family physicians if they need them.

We didn't just stop at health care. We went on to another phase: education. Our government invested heavily in post-secondary education. We invested \$60.2 billion in post-secondary education because we know the value of this investment, because we know about the future of skilled workers, of talented people, about the surge in innovation, because this is going to face us in the future. That's why we need people who are able to take us to the next phase in the future of technology, innovation and research. This budget also had more than \$400 million extra to support that initiative.

**1900**

The Minister of Research and Innovation set up a program. For the next five years, they are going to invest \$1.7 billion. In this year's budget there was almost \$334 million for research and innovation, because we value research. We believe that without research we cannot continue, we cannot keep prospering, we cannot maintain our good productivity in this province. That's why we invested more in research and innovation and job creation—good-paying jobs.

Besides that, we created peace and tranquility in the public system. We invested more in infrastructure, hired more teachers. We brought all the people to the table, from the teachers to the parents to the government, because we believe—

**Mr. John Wilkinson (Perth-Middlesex):** Lower class sizes.

**Mr. Ramal:** We lowered class sizes. Almost 75% of classes from grade 1 to grade 3 in the province of Ontario have around 20 per class. I think that's a very important initiative, because we know that with crowded classes you cannot have good education. You don't have a good chance for the students to learn and be managed. That's why we invested more in education.

We moved on infrastructure. Everybody knows that in the past no government in Ontario invested in infrastructure. In our estimation, we need almost \$100 billion—\$100 billion. That's big money, a lot of money. For a long time nobody paid attention to this area. We met with industry people, with manufacturers, with factories, and they told us it's important to update the roads that connect us with the United States through Windsor and Sarnia. That's why we invested more than \$600 million to create a more accessible road.

I was astonished last week when I heard that the exit from Windsor to Toronto is not even an Ontario road; it's just a city road—

**Interjection:** A municipal road.

**Mr. Ramal:** —a municipal road being used by hundreds and hundreds of trucks on a daily basis. It's not acceptable. That's why we want to invest more, to make

it accessible for all goods to flow back and forth, to have a better chance for access, because they told us that when they are delayed on the highways, it costs them more money and makes them less competitive. That's why we want to invest more money in this area,

Also Toronto—our city of London benefits from Toronto. It has a great investment in Toronto, because when the people of greater London want to come to Toronto, they want to come within a limited time, and not waste three or four hours on the highway because of the gridlock in Mississauga and Brampton. They want to come and go on the same day, but due to traffic and gridlock, they have to come the day before. Do you know how much that costs people? Tons of money, a lot of money, and that's not a good way to treat people.

Also, the flow of goods back and forth to Toronto and also through Toronto: The manufacturers, the factories, the industries asked us to solve that problem. I think the best investment is to eliminate gridlock around the Toronto area and also from Toronto to outside Toronto.

We also believe in a partnership with municipalities, because we believe that Ontario cannot be stronger without working together. From smaller municipalities to larger municipalities, from rural to urban municipalities, all of us have to work together in order to maintain our prosperity and our unity, and to be able to be productive and grow stronger and stronger for the next century.

The past government downloaded so many services. The great member from Northumberland was talking about the gas tax. We give 2 cents per litre to the great people of Ontario. My riding of London gets \$7 million on a yearly basis. From our shared responsibility to upload some services, London got more than \$13 million this year. From our investment in infrastructure, London got \$14.3 million, unlike what the Leader of the Opposition was saying last week: "London got nothing."

**Hon. Mr. Watson:** Who is that?

**Mr. Ramal:** John Tory. He doesn't know the calculations very well. Because of our government, our initiatives, this year alone London got \$35 million between uploaded responsibility, the gas tax and land ambulance. Land ambulance saw great things too. In 2000-01, the past government downloaded all the land ambulance service on the municipalities, costing them a great deal of money. Our government, as part of this budget, announced almost \$1 million last week for Middlesex county to share that responsibility. I believe the share will be 50-50 by 2008. This is our commitment to the great people of this province, for the great municipalities around us who work on a daily basis in order to maintain good services for the people they represent.

We believe that by working together—

**Mr. Wilkinson:** St. Thomas too.

**Mr. Ramal:** St. Thomas, Stratford, Chatham, everyone, every municipality, every small and large municipality, urban and rural areas get a share of this wealth of this province in order to help them, to connect them, to link them together, because that's what we believe. By working together, by a partnership between the province



and municipalities, we believe we can create a great province.

There are many good things in this budget. Many great things happened. I believe that if we work together and all members from both sides, the opposition and the government, vote and support it, we'll get great things done.

Before I leave, I want to talk about child care spaces—my seatmate talked about it a few seconds ago. The past government signed a national child care agreement: 25,000 spots across the province of Ontario, almost \$1.9 billion. What happened through the present government? They cancelled it. But because we are committed, we're going to maintain 14,000 as our responsibility. We're going to continue to work with the great people of the province.

**The Acting Speaker:** Questions and comments?

**Mr. Norm Miller (Parry Sound–Muskoka):** It's my pleasure to respond to the speeches by the member from Northumberland and the member from London–Fanshawe on the amendment to the budget motion.

I know that the next speaker from the PC Party is going to be our tourism critic, Ted Arnott from Waterloo–Wellington, so I want to focus, to begin with, on tourism. I'm looking at the actual budget papers, page 95. When we look at the tourism budget, we see that it goes from \$261 million in 2005-06 to \$161 million in 2006-07, a \$100-million cut in the tourism budget. I say that this is bad planning. If this money was spent wisely in partnership with the private sector, there could be net benefits to the province in terms of revenues that would be generated from economic activity that would result.

I was in the tourism business for 30 years, and I understand from the member for Waterloo–Wellington that the tourism industry was looking for a \$30-million boost in the marketing budget. Instead, they've had a \$100-million cut to the tourism ministry in the budget. As yet, I have heard no explanation from the Minister of Tourism as to why this \$100-million cut has happened, and this is in times that are difficult for the tourism sector, when we see the US dollar depreciating a great deal in the last number of years and when there are large challenges happening. The Premier responded to the tourism critic, when asked about this \$100-million cut, and said the money is basically all going to Toronto. I say, what about Parry Sound–Muskoka, what about Kenora, what about London, what about Niagara, what about Ottawa, the Premier's own home riding? Why is he ignoring the rest of the province for the benefit of Toronto, and why is he ignoring the tourism industry?

**Ms. Shelley Martel (Nickel Belt):** In response to the comments made by the Liberals, I have to point out that this government has a huge credibility gap when it comes to talking about child care. This is a government that, in the last election, promised 300 million new dollars in child care to start the Best Start program. All the money that has gone into child care in Ontario since that time has been federal dollars. This government hasn't anted up

one single red cent of new money for child care in the province of Ontario.

Better yet, in the budget that's before us, the projection for the child care budget is a 22% cut in funding thanks to the Liberal government. So you people have a lot of problems talking about Ottawa when you have failed miserably to live up to the promise that you made to put \$300 million of new provincial money on the table for child care. Maybe if you lived up to your promise, you'd be on better ground to fight the federal government.

**1910**

Secondly, I waited to hear this group talk about children, particularly the poorest children in the province of Ontario. I'm not surprised that I didn't hear anything about that because this is a government that continues to fail to live up to the promise made by Mr. McGuinty to stop the clawback of the national child benefit. You see, he and the current Minister of Comsoc had so much to say about how unfair it was that the previous government clawed back this money. Yet here we are: This government continues to claw back \$1,500 from every family, every year, money that should go to them to get them out of poverty. Shame on you. A \$3-billion surplus and you couldn't even put \$220 million on the table to end the clawback.

**Hon. Mr. Watson:** In the short time that I have I just want to comment on some of the aspects of the budget and why the city of Ottawa, in particular, and Ottawa West–Nepean are going to be well-served by this document: \$32 million in unconditional grants to the city of Ottawa for infrastructure, which is well overdue; \$200 million starts flowing now for the light rail project, the single largest investment in public transit in Ottawa's history; \$11 million in cultural facilities, including the Great Canadian Theatre Company. My thanks to Arthur Milner, the project director, and Mark Sutcliffe, the chair of the board of GCTC, and all of their great volunteers.

We've got a fourth cath. lab at the Ottawa Heart Institute. Premier McGuinty and I were there for the opening. It was the first new lab in 20 years coming to the city of Ottawa.

The Premier was in my riding not too long ago announcing approximately \$140 million in doubling the cancer care centre. People like Tom Schonberg, president of the Queensway Carleton Hospital; Dr. Jack Kitts; Dr. Hartley Stern—very appreciative of this government's investment. Half that centre will be going to the Queensway Carleton site, the other half to the Ottawa Hospital. By the end of our first term in office, over a half-billion dollars in capital projects for health care facilities will be in place.

The business community is benefiting as a result of us moving forward by two years the capital gains tax cut by 5% to January 2007. Some \$160 million in the Ministry of Research and Innovation is going to help the high-tech sector. My riding of Ottawa West–Nepean is crucial to the high-tech sector. Nortel is located in my riding.



Jeffrey Dale, the president of OCRI, is very appreciative of the investment in research and innovation.

We've got money coming in for land ambulances. I had the pleasure of announcing the funding, along with Phil McNeely, of \$5.3 million to bring us to the 50-50 agreement.

So all in all, good news for the people of Ottawa and for the city of Ottawa.

**Mr. Cameron Jackson (Burlington):** I listened intently to the comments, as I did listen to the tabling of the budget. There's no question that every budget, by definition in this province, has something good in it. But I think the members opposite, the government members, have to realize that there were some very clear and obvious concerns for Ontarians that needed to be brought to their attention, and they're literally pleading for some attention.

In the community of Burlington and the region of Halton, we've had one quarter of all of our acute care hospital beds cut at the Joseph Brant Memorial Hospital. One quarter of all the beds in our community, in our hospital, have been cut and closed, and we're still running a \$1.5-million deficit; the problems associated with a high-growth hospital in a high-growth community and they're not even expressed in a budget with a \$3-billion surplus—in my view, it's criminal. The fact that waiting lists are not reducing themselves in our region, as the minister is fond of saying—in fact, those waiting lists are actually growing because one of our key orthopaedic surgeons left our community. Mr. Leal is here tonight. He's arrived in Peterborough and he's going to Peterborough because in Burlington our hospital can only give that orthopaedic surgeon two and a half hours of surgical time a week. He can't make a living on two and a half hours a week, and we've got two full-time operating theatres vacant and empty and unfunded in our hospital. It's a two-year wait to get hip and knee surgery in the community of Burlington.

So I listened carefully to what the honourable members opposite are saying. I understand they're proud of their budget and they have their marching orders, but quite frankly, there's clear evidence, when it comes to children's services, whether it's autism or our local hospital, that this budget failed.

**The Acting Speaker:** Response, the member for London—Fanshawe.

**Mr. Ramal:** I was listening carefully to all the members commenting on what we said, but I'm proud. When the member was talking about London, London got a great deal of money from this budget: almost \$35 million. It never happened in the history of London. It never happened at any time of a different government. We've got a lot of money to spend in our infrastructure, the gas tax, transit and many different elements of our society.

Also, I want to respond to the member from Nickel Belt when she was talking about our budget, and the member from Burlington. When he was talking a few minutes ago, he said that no budget on earth can respond

to all the points people are asking for, but at least our budget tackled the main important issues: health care, education, infrastructure, child care.

The member from Nickel Belt was talking about the money from the federal government. I want to remind her that this money is our money. That's what we sent to Ottawa. We want it back. We want some of it back to reinvest it in health care, child care and all these elements which the past government agreed to invest in. Despite that, I wish the member could convince her leader, Jack Layton, not to bring down the government until we pass all the stuff we agreed on.

That's why we strongly support and are going to continue to support all the initiatives to force the federal government to come back to the table and support child care, because child care is important not just to us in London but to everybody in the province of Ontario. National child care is very important.

As the province of Ontario, despite the federal government, we're going to continue delivering and supporting the Best Start program because we believe it will support the children in this province. As a result of that, we have 14,000 spots we are going to maintain.

Thank you very much for allowing me to speak in support of the budget.

*Interjections.*

**The Acting Speaker:** Before I recognize the next speaker, we're getting a little rowdy. So if you'd just lower it a little.

The member for Waterloo—Wellington.

**Mr. Ted Arnott (Waterloo—Wellington):** I'm glad tonight to have this opportunity to participate in the debate on the 2006 provincial budget that was tabled on March 23 by the Minister of Finance. My comments tonight will be relatively brief, providing an opportunity for the member for Burlington to address this matter before the House as well before the debate on the budget motion concludes this evening at 9:20 p.m.

As I begin, I want to congratulate newly elected members Christine Elliott and Lisa MacLeod, soon to be known in this place as the members for Whitby—Ajax and Nepean—Carleton. We all look forward to welcoming them to the Legislature and to our Progressive Conservative caucus.

I also want to congratulate Peter Tabuns, who won the by-election in Toronto—Danforth. As you know, he'll be taking his seat as the eighth New Democrat MPP, which reminds us of that 1970s TV show "Eight Is Enough."

The timing of this budget was, to some degree, intended to give the Liberal Party a boost in these three by-elections. In this sense, the budget was an abject failure. This provincial budget, the third budget presented to the Legislature by the McGuinty Liberal government, constitutes another sorry chapter in the thickening book of Liberal broken promises.

In the coming year, Ontarians will continue to be paying more and getting less from their provincial government. Ontarians continue to pay much more in taxes under this government. The image is still etched in



our memories of the face of the Premier, who gazed into a TV camera during the 2003 election campaign, blithely reassuring voters that what they feared most about tax-and-spend Liberals was not true about him. He gazed into that camera and into the homes of millions of Ontarians and he promised them that he would not raise their taxes. Of course, the Liberals won that election, and in their very first budget in 2004, he betrayed all who had voted Liberal and broke that promise with almost gleeful abandon by bringing in the largest tax increase in Ontario's history. That particular day, almost two years ago, voters will never forget.

#### 1920

By the time of the second Liberal budget, in 2005, a clear trend had emerged: Ontarians were paying more and getting less. Ontario's farm families were among the most pronounced examples. They got much less. In response to the 2005 budget, I characterized the cuts to agriculture as being a kick in the teeth to Ontario's farm families. It was no wonder to anyone on this side of House that farmers brought their tractors here to Queen's Park 11 days ago to demonstrate, coincidentally, on the day of the third Liberal budget.

In Waterloo-Wellington, the initial response of farmers was shock, and it is palpable anger that the budget was not more supportive of the Ministry of Agriculture and Food. The Minister of Finance now knows that farmers are exceedingly unhappy with his government's lack of support for agriculture, a message he received loud and clear when he tried to leave an event in Whitby during the by-election last week, until he was finally convinced by the member from Dufferin-Peel-Wellington-Grey to get out of his car and talk to the farmers.

In this budget, they have also chosen to continue to break another key election promise, that being their commitment to balance the books. Even if you believe the Liberal line that the cupboard was bare when they were elected, you would have to agree that after three years in office, this year's deficit belongs to them. This government had the best chance this year they've seen yet to fulfill their promise to balance the budget. In fact, the member for Guelph-Wellington was quoted in the Guelph Mercury acknowledging that the budget could have been balanced this year, but a conscious, deliberate decision was made not to balance it.

The "pay more, get less" budget contained but a fleeting reference to the manufacturing jobs issue. They had little choice but to say something, and the budget documents try to depict a government that is doing something to respond to the crisis in our manufacturing sector. However, they offered no plan or vision. I first raised the issue of manufacturing jobs nearly a year ago with a resolution in the Legislature. I recommended that the all-party standing committee on finance and economic affairs immediately begin an investigation into Ontario's industrial and economic competitiveness and develop an action plan to maintain and expand our domestic and international markets in the coming years. It was intended as a plan to save jobs. The issue was raised by our

leader and our caucus in two opposition day debates in the Legislature and we have been raising it ever since.

This issue hit home two months ago when it was announced that the BF Goodrich tire plant in the Kitchener part of Waterloo-Wellington would close its doors this summer, putting 1,100 people out of work. I've received scores of letters from those displaced workers. They expressed concern about the loss of manufacturing jobs in Ontario. These workers deserve nothing less than a government providing leadership and the best possible plan for their economic future.

Whether we're talking with farmers in Wellington county or factory workers in Kitchener, we hear the same thing: This McGuinty Liberal government just seems to be fixated on Toronto and doesn't really care about the rest of the province.

Ontario's tourism leaders have every right to feel the same way. I'm proud to speak on behalf of our caucus as critic for the Minister of Tourism. We're advised that Ontario tourism is a \$21-billion industry. It directly employs about 213,000 people. A major source of our tourism revenue comes from our friends and neighbours to the south. American visitors have traditionally represented 90% of international visits to Ontario, but a dramatic decline in visits by Americans is threatening the future economic viability of Ontario tourism. The industry still hasn't fully recovered from the setbacks resulting from the negative perceptions after we endured the SARS crisis in 2003, nor the changes in the United States since the devastating terrorist attacks which we now call 9-11.

The impacts on tourism are as troubling as they are astounding. In 2005, annual entries from the United States reached their lowest level in 33 years. The number of visits plunged from a historic peak of 30 million visitors in 1998 to just over 19 million last year. That's a decline of almost 11 million US visits, with a negative impact on the tourism sector approaching \$1 billion a year. This means lost tax revenues for the province of \$110 million a year.

I don't think I'll be accused of spreading doom and gloom when I tell this House that it looks like the problem is about to get much worse. Think about the challenge we face when every American will be required to carry a passport or other specially acquired security document in order to get back home after they've been here. The US-led Western Hemisphere Travel Initiative means that passports or special pass cards will be required starting in 2007 for air and sea travel and 2008 for travel by road. As it stands now, few Americans have passports—less than 25%—and most have never even thought of needing one to visit Ontario. Because of our close relationship with the United States, generations of travellers haven't needed a passport to cross the border.

Members need to know that I raised this issue in the Legislature last year and called upon the Ontario Minister of Tourism to demonstrate that the government was aware of the potential impacts, and asked him to outline the steps that the government intended to take over the



coming months to deal with the issue. An impact study by the Ministry of Tourism has confirmed that a further decline in American visits is likely as a result of the passport issue. Nothing has changed. The cumulative impact is estimated to be a drop of 3.5 million American visits by 2008, and the ministry estimates that there will be a significant loss of jobs as a result.

I'm aware that the government was thoroughly briefed on these issues and the storm clouds that are looming on the horizon. The minister was told clearly that something had to be done to counter the pending decline in American visitors unless something is done. We needed an investment of \$30 million in the Ontario Tourism Marketing Partnership Corp. in the budget. This would have been used to develop new marketing programs, programs through marketing initiatives that have yielded a handsome \$9 to \$11 return on every dollar invested.

What did Ontario's tourism industry leaders get from this government in the budget? It was callous indifference. The passport challenge was ignored in the budget speech. When I raised this issue with the Premier during question period last week, the Premier seemed fixated on Toronto in his response. Ignoring the substance of my question, he rhymed off a number of capital investments that the government expects to make in our cultural attractions—all in Toronto—all of which are well and good, but will do nothing to attract tourists to north-western Ontario, northeastern Ontario, eastern Ontario and many other regions of the province, all of which are dependent on tourism for their local economic success.

To further demonstrate that the budget was Toronto-centric, I'd like the Premier to consider the following advice I have received. Toronto is the largest tourist destination in Ontario, with around 18.5 million visitors recorded in 2004 out of a total of about 118 million to the province as a whole. So I would ask the Premier, what about the 100 million visits that the rest of the province generates? That question must be answered in the coming days along with many others from those who were left out in this 2006 provincial budget. Let us hope that the response of the people of Ontario will force the government to rethink their cynical plan as the next 18 months draw to a close and then this Liberal government moves back to the opposition benches, where, after these three budgets, they deserve to be.

**Mr. Jackson:** I want to commend my colleague for his opening comments on this, the 2006 Dalton McGuinty budget. As I said earlier, in response to another member, I've been in this House for, I think, 22 different budgets—one year there were two, so it's probably 23 different budgets—so I can tell you that no one's ever totally satisfied with what they find in a budget. But I have never, ever had the experience as a legislator in 22 years of seeing a \$3-billion surplus in a budget. So it's very obvious to everyone, not only in this chamber but across Ontario, that that has become the object of a lot of discussion, speculation and analysis as to how that money was handled.

For those people watching tonight's debate, it would be fair to say that this \$3 billion was essentially—in the last few weeks of our fiscal year, which closed on March 31, there was a spending spree. They couldn't get all the money out in certain of their priority areas, but the government saw fit to place a substantial amount of money into a trust account for some future construction predominantly for Toronto and for York region, and a very little bit of that as well to go to Brampton.

**1930**

There are many groups of people across Ontario who are asking the questions: Why have their concerns fallen off the table, or why have their needs fallen further back on the government's agenda? I'm not going to get into what you promised and what you didn't deliver; those are well known and well documented. Frankly, the people who appreciate that debate the least are those people who relied on those promises, and who are extremely frustrated that they did not see evidence in this budget that this government was either (a) going to honour the promise or (b) listening to the concerns that were legitimate prior to the last election and, in their opinion, are even more serious today. So my brief time to discuss the budget and the budget amendment is to go over some of those items on behalf of the region of Halton and the city of Burlington, its taxpayers, its children and its seniors.

I want to start first with the Halton public and separate school boards. They relied on the government's word that they were going to have a moratorium on school closures and that there would be sufficient capital made available to meet the growing demands. There are 70-some school boards in our province, and 60-some of those are not experiencing growth. But there are 10 school boards that are experiencing severe growth—severe enough that schools are opening in one year and within six months are projecting as many as 15 portables to be added to them. This is not uncommon in the GTA, but it is a feature which has apparently escaped the attention of the government. In Halton, the Halton public school board has in fact proceeded with \$100 million worth of additional capital on the hope, the strength and the belief that the government will honour that commitment.

I have spoken to the Minister of Education, and I hope that whatever poor health has taken him from this House to be with his family is not of a serious nature, and we wish him and his family well.

I have spoken to him about this concern, because not only is the Halton school board using all of its reserve dollars to build schools that were promised to them, but there are boards across the GTA which have engaged in a similar kind of activity. I am led to believe that the amount is about \$1 billion worth of capital that's currently under construction and in one form or another of completion. Yet the government has remained silent on the funding formula, on the amount of the monies that are being transferred to the school boards. They have been silent on the moratorium on school closures. They've lifted it, but they haven't told them what the guidelines



are, and yet today school boards are closing schools because they cannot get an answer from the government. Of course, they have no real guidelines to follow in terms of what permitted uses this government will allow for their vacant school places. So this is a very, very serious problem facing the Halton board.

This is the second year that the Halton public and separate school boards are projecting rather large deficits. Although the government gets full marks for personally stepping in, in spite of the legislation, and overriding the authority and the responsibility of trustees and undertaking the negotiations directly with elementary and secondary teachers in this province, giving them a rather attractive package that satisfied their needs, we now find today that there isn't enough money to put into our schools for things such as the increased cost of heating our schools. The Halton board of education has a half-million-dollar extra cost associated just with heating its schools this year—half a million just for the increased cost of gas. That doesn't include books; it doesn't include the increased demand on special ed, as we identify more and more children with learning disabilities and not being able to provide them with program funding.

School boards are desperate for an answer about where the funding levels will come. What we're hearing is that school boards are being told, "Look, there is no more money, and because there's no more money, you should keep a lid on things. The fact is, your teachers are happy. They've got their package, and that's all well and good. But now if you need to find extra money to manage, find it from your special education budget, find it in your transportation budget, find it by closing schools and finding efficiencies. That's where you'll come up with your money."

This budget signals to school boards that, "You're not going to get the increases that you were looking for for all the other things." The monies in this budgets barely cover the costs of the collective agreements that the Minister of Health—I'm sorry; I keep calling him the Minister of Health—that the Minister of Education, Mr. Kennedy, personally negotiated with the teachers' unions and bypassed the school boards. And so on a day when we were earlier discussing amendments to the Education Act and giving trustees additional authority and recognizing that they deserve more pay, it sort of conflicts with the notion that the government was stepping in and negotiating their collective agreements; in fact, taking over one of their major and most important responsibilities.

Other groups in our community are concerned at the oversight on the part of the government not including whole segments of service delivery that we rely on to keep our communities safe—child protection issues with our children's aid societies. This is the third year in a row that children's aid societies are again projecting to run deficits, and the government has said, "Go ahead and run your deficits." This is a time when child protection issues are becoming even more important. In a couple of weeks I will be speaking to the issue of Kevin Latimer, who

passed away. My colleague from Brant has raised the issue of young Jared, who died a couple of weeks ago. If we get underneath these issues, we find that the cash-strapped children's aid societies cannot do their job and function properly given the funding framework and the pressures this current government is putting on them. Do we not think that children who are suffering with autism deserve the support from that \$3-billion surplus? Do we not think that children who have child protection issues are important enough that they should be included in this budget? This is a government that was able to find 12% over three and a half years for people who work at the LCBO, and yet persons who work in the developmental disabilities sector and others are getting a 1% increase to their budget this year, as they did last year. That's no way to run a government.

#### *Interjections.*

**The Acting Speaker:** Before I do questions and comments, I would appreciate a little quiet.

Questions and comments?

**Ms. Martel:** In response to the comments that were made by the Conservative members, I want to say, particularly to the member from Burlington, who talked about what's going to happen to children's aid societies, if he takes a look at the estimates that the government tabled as part of their budget document, it's very clear that we're looking at an \$82-million cut in children and youth services. We're all wondering what that cut will be and who will be impacted and how negative that impact will be. We wait to see what comes forward from the government in that regard. We certainly know that child care and child care spaces are going to take a hit. That's already clear, because we've seen that that cut is about 22%. But there will be some others, and we will look to see who else is going to be impacted by a significant cut in that ministry.

Secondly, he talked about school boards and their ability to do or not do certain things. I think it's important to point out that much of the money that school boards were trying to put into, for example, either special education programs or English-as-a-second-language programs is money that has had to be diverted to pay for utility bills, for electricity bills, in so many of our schools. Why is that? The reason is that this government has not changed the funding formula to reflect the increased costs of running the physical plants which are our schools. People for Education pointed out, for example, most recently that significant monies that should be going into special education, significant monies that should be going into English-as-a-second-language programs, are in fact monies that are having to be diverted by school board officials to pay the bills just to keep the lights on; just to keep the heat in place. This is a Liberal government that promised changes to the funding formula to reflect actual costs. We haven't seen that change, and as a result, funds needed for other programs are being diverted just to pay for basic needs in schools and school facilities.



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**The Acting Speaker:** Questions and comments?

**Hon. Mr. Watson:** I had the opportunity earlier to talk about some of the investments this budget is bringing to the city of Ottawa when it comes to health care, and I just want to talk about education.

It's unfortunate that the member from Lanark-Carleton is not here, because he had criticized the government for not doing enough for Ottawa, yet today when he had his opportunity to speak, what did he speak about? He wanted a higher mileage rate on his annual visit to his riding.

I am proud of the education commitment that this government has put into education. Under the Tory government there were 26 million school days lost as a result of strikes. How many under Premier McGuinty's leadership? Absolutely zero as a result of teachers' strikes.

We have turned the corner, in terms of co-operation with our school boards, with people like Lynn Graham, chair of our school board who does such an excellent job in Ottawa, and Margaret Lange, Riley Brockington and Alex Getty, three trustees who serve the west end of the city and represent an area that I have the pleasure of representing in Ottawa West-Nepean.

The Tory track record on health care is abysmal. They closed the Riverside and Grace hospitals. They tried to close Montfort and the CHEO cardiac unit. They downloaded services. I certainly was a victim of those downloads when I was mayor of Ottawa. We've turned the corner because we're uploading services.

I was with Mayor Chiarelli and Councillor Deans just last week, announcing \$5.3 million as part of our contribution for the 50-50 land ambulance cost, which has gone over extremely well.

We have a track record in this government of delivering public services. We're not afraid to say that public services are important to the people of not only Ottawa and eastern Ontario but all of Ontario.

The investments in community health centres: I was pleased that a community health centre is coming into Nepean, headed by a very capable Patricia Pepper and her group of board members and volunteers. We wish them well. That money is in the budget this year and it's going to do good things for the people of Nepean.

**Mr. Miller:** It's my pleasure to add some comments to the speech from the member from Waterloo-Wellington and the member from Burlington on the budget amendment this evening.

I note that the member from Waterloo-Wellington congratulated our newly elected MPPs. I would like to add to the congratulations, particularly of course the PC MPPs, Christine Elliott and Lisa McLeod, who were both victorious in recent by-elections, and I would like for a moment to talk about some of the issues they were talking about.

One of the things that bothers me most about this budget is the fact that it is not balanced, that in times when the government saw an extra \$2.2 billion in revenue and then another \$700 million, I believe it was,

in savings and interest this year—over \$3 billion in revenues they hadn't planned on, \$3 billion extra, and yet they still didn't balance the budget. In 2002-03, I think the revenue for Ontario was \$68.8 billion; this year it's projected to be \$85.7 billion—a \$17-billion increase. And yet this government has not balanced the budget.

Times have been relatively good. What happens if we have a recession? What happens if things go downhill in the United States and it spills over into Canada and government has to spend money? What happens then? The government has no choice but to run larger and larger deficits, so they're taking a big risk for the whole economy and the well-being of all of us by being irresponsible and not balancing this budget. Certainly the single, most bothersome thing about it for me personally is that they've been so irresponsible in good times.

Once again, for the third time, they have broken the promise, as was pointed out by the member from Waterloo-Wellington. Dalton McGuinty promised not to raise taxes and to balance budgets, and for the third year in a row we're seeing him break that promise and again run a deficit.

**Ms. Andrea Horwath (Hamilton East):** I too wanted to make a few comments on the remarks made earlier by the member from Waterloo-Wellington and the member from Burlington. I have to say that I too was disappointed, as was reflected by the two members speaking previously about this budget. I was disappointed because I think the government had the opportunity to do some very positive things, particularly when we acknowledge the fact that they were awash in dollars this time around and had a real chance to perhaps begin to keep some of those promises that the people of Ontario expected them to keep, oh, maybe last year, maybe the year before that. But at the very least, they could have done it this year. Of course, they didn't.

I think what's most disturbing for me is the retreat from their commitment to the children of this province that's very clear in this budget. The member for Burlington specifically talked about children's aid societies and the budgets that are still straining at the edges to meet the needs of children needing care in the province of Ontario. But I have to tell you, if you look at any of the services for children, you'll see that this government has made real choices, but unfortunately the choices are going in the wrong direction. They are choosing to withdraw their supports from children in so many ways. So it's not only lack of funding or lack of expansion for children's aid societies, but children's services centres as well are in extremely difficult situations trying to meet the needs of children who need services, particularly because of special needs and other considerations.

You'll know that the government has not been able to keep its commitment—has refused to keep its commitment, has decided it's not going to keep its commitment—for funding of child care at the provincial level. So the \$300 million that they talk about so many times around child care from the province of Ontario, they have not invested.



They have not invested in children by taking away the clawback of the national child benefit that they promised they would take away, which would help so many poor children, so many children living in poor families, just to make ends meet and have a little bit better quality of life.

They have abandoned children this time around.

**The Acting Speaker:** Response, the member for Burlington.

**Mr. Jackson:** I'd like to thank the member for Nickel Belt, who underscored the fact that this government has cut \$82 million from children's services. I'm sure that this causes a lot of consternation for the former Minister of Children and Youth Services, a champion in her own right. She must be just beside herself knowing that those significant cuts are going to be across a whole host of organizations. The member for Hamilton East helped enumerate those. There's actually a cut in the amount of dollars being spent in this budget over the last budget in the government's commitment to child care. The clawback of the child tax credit is, honestly, cruel and unusual punishment to some of the poorest families in our province who are struggling to raise children above the poverty level.

The Minister of Health Promotion was very clear to talk about buying labour peace, which is what his government did. The budget clearly demonstrates for us just what the price of labour peace was. The price of labour peace under Dalton McGuinty's Ontario means that there will be fewer resources in the classroom for those teachers. There will be fewer resources for children who are having emotional difficulties and who are being jettisoned out of our schools in increasing numbers because schools are hiding behind the Safe Schools Act, and all it takes is for a small problem to flare up with a child. I am seeing cases in my community of Burlington of children in grade 1 and grade 2 being sent home for suspensions indefinitely because they are swearing or because they're acting out in the classroom. Is there any recognition of this in this budget? No, not at all. The money went to salaries, and that's where the priorities are.

Again, I must reiterate that Joseph Brant Memorial Hospital has had 48 beds cut. One quarter of all the beds have been cut because of this budget.

**The Acting Speaker:** Further debate?

**Ms. Martel:** It's a pleasure for me to participate in the debate this evening. I'm going to focus on one issue and one issue only, and that is going to be this: In the face of a \$3-billion windfall that the Liberal government experienced in the fiscal year that just ended, why is it that even one child with autism has to sit on a waiting list in this province, desperately hoping to get intensive behavioural intervention or IBI treatment? That's what I'm going to focus on this evening.

My involvement with families with autistic children began probably in January 2001. At that time, I received a notice of a press conference from one Norrah Whitney, whose son, Lucas Burrows, was being terminated from his IBI treatment by the former Conservative govern-

ment. As you will know, Speaker, the Conservative government set up a program to provide IBI services. It was a limited program budget. It was discriminatory in that when you turned age six, you were arbitrarily and summarily cut off, even if it was clearly proven that continuing that service would be beneficial to the child. And so Ms. Whitney sent a notice of a press conference inviting representatives from all three political parties to join her at the human rights commission, because she was going to file a complaint that her son was being discriminated against on the basis of his disability.

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I didn't know very much about this program. I wasn't the children's critic or the health critic at the time. I was interested, however, in the issue and the appeal that she was making, so I decided to attend. I did that. I went down to the press conference. I was the only representative from any political party. I listened to what she had to say and to what her lawyer had to say and heard about her son, who had been making tremendous progress at New Haven, who was getting 40 hours of IBI a week, and who had received a letter from the former government to say that regardless of the progress that he had been making and regardless of the fact that his senior psychologist and the consultants who worked with him at New Haven said full well he needed that IBI to continue in order to learn—the government of the day at that time had sent her a letter saying he was six, that was the end of all funding. So she was challenging that through the commission.

Do you know that even today that case has not finally come to resolution, that she is before the tribunal and has been before the tribunal, and that this government has sent lawyers, often four lawyers at a time, to the tribunal, day in, day out, when it sits, to try and argue that the case shouldn't be heard? Before the Auton case came down, the government lawyers argued that the case shouldn't be heard because the Auton decision at the federal level in the Supreme Court would have an impact on the case, that the case shouldn't be heard because the Human Rights Tribunal didn't have jurisdiction to hear the case, and on and on and on. This is what has happened to one parent and one child with respect to their complaint.

After Ms. Whitney went forward and launched her complaint, some 112 other families also followed suit. They have joined their complaints with hers, so now all of the cases are being heard together. But isn't it a sad state of affairs that in the province of Ontario, these many years later, the tribunal has yet to render a final decision in this important case, primarily because this government, through its lawyers, has done everything it possibly can to stymie this case from going forward?

After I met Norrah, I met many other families with autistic children whose children were also being cut off IBI treatment at the age of six, even though they needed it. Before the last election, a number of those families very courageously came to Queen's Park, sat in the gallery and allowed me to use their example and the case of their son or daughter to point out to the previous



government how unfair, unjust and discriminatory it was that a child who needed treatment should be cut off that treatment merely because they turned age six. Members who were here before the last election would remember those parents being here, would remember the questions I raised, first to Mr. Baird and then to Ms. Elliott. In fact, a number of them who were here, if they were sitting on this side, in the Liberal benches, would remember agreeing with me and arguing with the ministers of the day, Ms. Elliott in particular, that it was unfair and discriminatory for these children to be cut off their treatment at age six.

I think it was because so much public attention was focused on these families and their plight, and how unfortunate it was and how many of them were facing financial ruin because they were trying to pay out of their own pocket the \$55,000 that is sometimes necessary to get 40 hours of IBI treatment for your child—it was because of that attention that was paid to this issue in the media that the McGuinty Liberals promised in the last election that they would do something different. Very specifically, in a letter to Nancy Morrison, who at that time was the parent of five-year-old Sean, who has autism—in a letter to Ms. Morrison, who wrote all political parties and asked us what our position was with respect to funding IBI and with respect to the cut-off at age six—Mr. McGuinty, right in the middle of the election campaign, September 17, 2003, wrote Nancy back and said this:

“I also believe that the lack of government-funded IBI treatment for autistic children over six is unfair and discriminatory. The Ontario Liberals support extending autism treatment beyond the age of six. We are not at all confident that the Harris-Eves Conservatives care to devise any innovative solution for autistic children over six—especially those with best outcome possibilities that might potentially be helped within the school system with specially trained EAs.

“In government, my team and I will work with clinical directors, parents, teachers and school boards to devise a feasible way in which autistic children in our province can get the support and treatment they need. That includes children over the age of six.”

I have no doubt, because parents have told me this subsequently, that many parents with autistic children voted Liberal on the basis of that promise. To their surprise and to their shock and to their dismay, no sooner had the Liberals gotten their votes and formed the government than these same Liberals broke that election promise and carried on with the same discriminatory policies that had been put in place by the Conservative government; that is to say, to continue to arbitrarily cut children off IBI treatment as soon as they turned six.

I want to read you a letter that was sent by Cynthia and Bradley Boufford of London to their MPP, Mr. Ramal, early on, because they voted Liberal in the last election and then, after the Liberals formed the government, their son Jordan got cut off IBI, just as if it were

the Conservatives who were in place. This is what they had to say to Mr. Ramal:

“You are very aware that our son was discharged in May, from the IBI therapy program he was benefiting from. Do you care that over the summer, he had no IBI therapy? Do you realize that during that time, he lost skills, and did not continue to make the progress he was making with IBI therapy? Every day that passes that Jordan does not get IBI therapy is a lost opportunity for our son. He needs IBI therapy to progress. He is not learning (as we were told he would) from his peers to ask, why, how come, etc. The great Liberal plan to put a handful of consultants in the school board will do nothing for him. His needs are immediate. With IBI therapy, our son would continue to learn and progress. We do know what is best for him. We have seen how he learns. We have witnessed first-hand the progress he made with therapy and the lack of progress he has made without it....

“It is quite unfortunate you have neglected to fulfill your election promise to help our son and the many other children who have autism. You simply used us to gain votes and now think that in attending and speaking at fundraisers, we will be placated. It would be much better if you spent your time advocating for changes, which would enable children to receive therapy based on their needs, not the fact that they have reached six years old.”

What else did the government do? They arbitrarily continued to cut kids off. They kept on with the court case that had been launched by the Deskin-Wynberg families under the Conservative government and proceeded under the Liberal government. In fact, it's interesting because I have had more than one occasion to attend the court hearings under the previous government and then under the current government, and had a chance to talk to counsel for the plaintiffs, Ms. Mary Eberts, who I have the greatest of respect for. Ms. Eberts told me very plainly, and said very publicly, that this Liberal government was fighting her and these parents even harder than the Conservative government did before—this from a party that said they were going to stop the discrimination against autistic children over the age of six.

What else happened? The wait-list continued to grow. I have some information about wait-lists that I want to put into the record here this evening. The Liberals are now in government, and have been for some time. As of March 31, 2005, there were 399 children eligible to receive IBI and waiting on a wait-list for it to commence. At the same time, March 31, 2005, there were 287 children waiting for an assessment to determine if they would be eligible for IBI services. Do you know that at the same time, the government was servicing about 675 children? The fact of the matter is, under the Liberals, by March 31, 2005, there were 686 children who were eligible to receive treatment and waiting for service, and in that same group, another group was waiting for an assessment. There were more children waiting for an assessment and waiting for services than there were children actually receiving the IBI treatment that they needed.



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When I hear this government talk to me with their platitudes about how much they have done for autistic children, I have to shake my head, because it is the same group who, after getting the votes of parents and families with autistic children, betrayed them directly by continuing to cut their children off when they turned six. It's the same Liberals who continued spending taxpayers' dollars—yours and mine—money that should go into treatment instead being spent to fight these families in court more aggressively than the Conservatives before you. It's the same group who, despite putting money into the system, had waiting lists that were longer, and are longer today, than the group of children who are actually getting served. What a legacy.

In the face of those waiting lists, do you know that at the end of the last fiscal year, March 31, 2005, we discovered that the Minister of Children and Youth Services underspent the IBI treatment budget by \$2.7 million? Do you know that in the face of 399 kids on a waiting list who had qualified and were just waiting to start to get some treatment, she diverted \$2.7 million that could have gone into treatment and instead put it into protection services for kids? No doubt we need protection services for kids, but a lot of those kids we're trying to protect are kids who have autism, and if they got some IBI, they probably wouldn't be in that system. She diverted \$2.7 million somewhere else when there were 399 kids on a waiting list, ready and waiting to receive treatment.

Let me deal with the court case, the very one that the Liberals have spent so many taxpayers' dollars on trying to fight these parents. That case was very revealing. I give credit to Justice Kiteley, who did a thorough and exhaustive review. Months were spent on this; much evidence was presented. Many people made submissions, including an 11-year-old boy who had autism, who talked about how IBI had helped him.

In her decision, which was released just a little over a year ago, she said a couple of things that I want to read into the record:

"Parents or other caregivers from more than half of the families gave evidence. Virtually every one of the parents described circumstances of the children that personalized the clinical descriptions in a manner that could only be described as heartbreaking."

Heartbreaking, because none of these kids got IBI, and these parents were doing everything they could, including mortgaging their homes and having a second mortgage to try to pay for it.

She also said, "I find that the age cut-off," first in place by the Conservatives, then in place under the Liberals, "reflects and reinforces the stereotype that children with autism over age six are virtually unredeemable.... To deny the plaintiff children the opportunity to have ... IBI after the age of five is to stereotype them, to prejudice them and to create a disadvantage for them."

She also said the following in her judgment: "The absence of IBI" in the schools means that children with autism "are excluded from the opportunity to access learning, with the consequential deprivation of skills, the likelihood of isolation from society, and the loss of the ability to exercise the rights and freedoms to which all Canadians are entitled."

Her decision, which was fundamental, which was so important, was the following: She ruled that this government violated the charter rights of autistic children on the basis of their age and on the basis of their disability, and further, that the Minister of Education violated the Education Act because of failing to ensure that appropriate special education programs and special education services were available to all exceptional pupils without payment of fees. In particular, the Minister of Education failed to develop policy and give direction to school boards to ensure that IBI services are provided to children of compulsory school age. Indeed, the actions and inactions of the Ministry of Education and the minister created a policy barrier to the availability of IBI in schools. The absence of IBI means that children with autism are excluded from the opportunity to access learning.

That's what Justice Kiteley had to say after months of hearing this case. That's what she had to say about the Minister of Education in particular after this government promised during the election that they were going to work with school boards to make sure that IBI was delivered in the schools. This government is not delivering one bit of IBI in the schools. They have not forced school boards to do that, and so many autistic children are falling behind, are falling through the cracks, are out of school and being home-schooled as a result.

I want to just go back to the Bouffords, because here's what they had to say about the government's consultant-in-the-school program, which has been such a joke. This is Cindy Boufford again: "I asked at my son's school if an ASD consultant could come in and provide some training to the educational assistants who work with several students with autism in the school. I was told that these consultants consult with board staff, not the staff working directly with the kids, and do not provide training. They are available only to provide consultation if there is an issue that can't be dealt with by the existing staff, meaning they have tried everything and failed. There is no actual service available to my son from these so-called consultants, absolutely none."

This government's school program with consultants that go into the school and give some direction to parents is an absolute joke, and it isn't what the government promised in the last election. This government promised that there would be IBI in the schools and this government should deliver on that promise.

Today, in answer to the question I raised with the minister, she said, "Well, this government is providing IBI services to children over the age of six," as if the Liberals had finally decided to make good on their promise. Do you know that the only reason this government is pro-



viding IBI to children over the age of six is because of Justice Kiteley's court decision, a court decision which says you violated the constitutional rights, the Charter rights of these children, and until such time that another level of court deems otherwise, her orders in that decision stay? That's the only reason the Liberal government is providing IBI to children over six today, not because they changed their minds and not because they decided to live up to their election promise. No, the court ordered that it be done, and unless and until the court of appeal changes Justice Kiteley's decision, then IBI needs to continue to be provided.

That leads me to the final point: a \$3-billion windfall. In the face of the waiting lists of kids over the age of six who are still on the program, of those kids who are under six waiting for treatment, of those kids who got cut off under the Liberals but could be reinstated because of Justice Kiteley's decision, did the government use any of the \$3 billion to get any of these kids off a waiting list? No, they did not. Shame on this government.

**The Acting Speaker:** Questions and comments?

**Mr. Phil McNeely (Ottawa—Orléans):** I had prepared for the budget this evening more on the infrastructure aspect. So that's the part that I will start dealing with now. It has to do with whether the infrastructure spending that was made in the budget by our government was realistic. I think when you look at any of our major cities, there was a report out recently from the federal government that deals with the cost of lost time as a result of post-1995 funding cuts by the former government. It was 75% for public transit up until that time, and post-1995 that support for public transit was taken down to zero. That was what the Harris Tory Conservative government did, and we're feeling that today.

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Today, transit in Toronto carries 11% of daily trips. It's down 30% from what it carried in 1986—a 30% reduction in daily trips. The TTC carried 117 trips per capita. That's down 11% from 131 in 1986. The buses are 3% slower than in 1986 because of congestion.

This is a report, by the way, that has been prepared by Neal Irwin, IBI Group, presented at the fourth annual GTA transportation summit, March 22, 2006. It shows a terrific cost to cities of not having the proper transit. If you look at the cost, it's about \$1.1 billion a year now for people sitting in congested streets. If we keep doing the same for the next 30 years, they're projecting that \$4 billion a year is going to be the cost for people sitting in traffic.

That \$4 billion is the way that we were going with the Tories. We're going to change that around. I just wanted to start that way. Ten minutes from now, I'll speak to this subject.

**Mr. Jackson:** I want to respond to the passionate and insightful comments of my colleague from Nickel Belt. As always, I share with her her concern about children's services in the manner in which she presented her case this evening.

She made some very important points about the difference in the two court cases. I was in the House the day that she asked the minister a question about the court case. We got this answer, which sent shivers up our spines, and that was that, in the opinion of the government, they didn't think that intensive behavioural intervention and the methodology being used actually worked for kids over the age of six. That frightened me to the extent that, if that's the way this government is fighting this court case, to say, "We don't doubt that it would be discriminatory not to give it to them, but frankly, it doesn't work"—the truth of the matter is that the teachers' union has indicated to the school boards and to the Minister of Education that under no circumstances will they allow anyone to do work in a classroom unless they have a teaching certificate. That's what the real battle is here.

I sat at a cabinet table when we agonized about extending the services. We'd only had the program in place for a couple of years, and in those days, the problem was that we didn't have enough money. Today the problem is not that we don't have the money; it's that the government wishes to continue this court case against children with autism in this province under the guise that it doesn't work. But the truth of the matter is, the teachers' union has told this government that under no circumstances will they allow these professional therapists into the classrooms, where they are needed desperately in this province, immediately.

**Ms. Horwath:** I wanted to take a few minutes to also comment on the remarks by the member from Nickel Belt. I have to say that when I was running in the by-election, I had an opportunity—this was a couple of years ago now—to meet some of the local families in Hamilton and actually from other areas in the southwestern part of Ontario who were challenging the government, who were part of these actions and these initiatives that the member from Nickel Belt has been so intimately involved with.

I can tell you, we can talk in this House about the battle that's happening on the legal stages, we can talk in this House about the policy battle, we can talk in this House about the funding battle and whether there's enough money or there isn't—and in fact, it's only a matter of whether or not you prioritize these particular children and their need for services beyond age six. But I have to tell you, if you sit with those families, you will know that that IBI treatment is so extremely important, not only for the children but for the well-being of the families as well.

I can tell you that it took a lot of heart-wrenching effort to sit with those families and hear the kinds of challenges that they have on a day-to-day basis as they watch their children lose their skills, as they watch their children deteriorate right before their eyes. Why? Because they reached an age that for some reason, somewhere, somebody decided all of a sudden that because of that age, they are no longer eligible to receive the learning and skill supports that that IBI treatment provided. I can tell you, it was a huge eye-opening experience for



me, and any one of the members of this House who cares to actually sit down and talk to any of these family members will right away know that it's not a matter of policy or dollars or court cases or anything else. It's a matter of humanity; it's a matter of decency. It's a matter of making sure that these families get a fair shake and that these children have a chance to develop some basic skills, the way that anybody would expect their own children to have the opportunity to do so.

**Mr. Leal:** I did listen very intently to the member from Nickel Belt articulating her views on the budget that was delivered on March 23.

In my time as a member of the provincial Legislature representing Peterborough, I have met with many families, particularly those low-income families who have children suffering from type 1 diabetes. I note that in the budget, for the first time, I understand we're the only jurisdiction in North America that will be funding insulin pumps and related supplies for about 6,500 children by 2008-09. I take that as a very significant accomplishment in the province of Ontario, indeed throughout North America. Our colleagues Mike Gravelle and others were determined to make this come about, because many of those families, as I understood it when I had a chance to meet with them, were cutting strips in half; they were scrimping in other areas to make sure that their children had an opportunity to have those costly insulin pumps and related supplies. So I happen to think that this is part of the budget that needs to be applauded and supported.

Secondly, the investment in infrastructure in northern Ontario: I had the opportunity a number of weeks ago to be in Timmins, Ontario. The group I was chatting with was involved in the mining industry, and one of the issues was expanding roads in northern Ontario, because there are, right now, tremendous increases in costs, in prices of commodities, because of pressure throughout the world—China, India and other countries. Indeed, they need the investment in good roads to make sure that they can get those commodities to market.

I appreciate the comments from the member for Nickel Belt, but there are other areas in this budget that do support children.

**The Acting Speaker:** Response?

**Ms. Martel:** I want to say this in response to the comments from all the members: It's three years in, three budgets for this government, and still the promise that was made to parents of autistic children, before the election and during the election, has been failed to be met by this government, and this at a time when in the most recent budget this government had a \$3-billion windfall.

The election promise by Mr. McGuinty was very clear: "I ... believe that the lack of government-funded IBI treatment for autistic children over six is unfair and discriminatory. The Ontario Liberals support extending autism treatment beyond the age of six." Furthermore, "The Ontario Liberals are going to work with school boards, we're going to work with teachers, and we're going to make sure that IBI is provided in the schools."

None of that is happening with the third budget of this government.

In fact, while the minister said today that they are extending treatment beyond the age of six, she failed to mention that the only reason that's happening is because the court ordered it. She also failed to mention that when the government sought leave to appeal the Deskin-Wynberg decision last April, the government lawyers, on behalf of the Liberals, went to court and argued that Justice Kiteley's decision should be set aside; it should be struck down. If that had happened, those children over the age of six would have been cut off. So, you see, your commitment to these kids is pretty slim at best, because your agents in court have been doing everything they possibly can, on the instruction of the Attorney General, to make sure that these parents don't win. You have spent millions, and I mean millions, of dollars fighting these parents in court, at a time when those millions of dollars could have been used to deal with all the kids on the waiting list.

Look, folks, you had \$3 billion. You've got hundreds of kids on a waiting list. They're not getting treatment. You promised to provide it; you should have. Shame on you for your treatment of autistic children.

2020

**The Acting Speaker:** Further debate?

**Mr. Leal:** I want to say at the onset that I'll be sharing my time with my good friend the member from Ottawa—Orléans.

I'll start off by saying that just yesterday the Peterborough Petes won their first round of the playoffs against the Ottawa 67's, and we certainly look forward to starting our series Thursday night against the Sudbury Wolves. I'm sure that will be an interesting clash. We'll have two brothers, Staal against Staal, competing.

I'd also like to acknowledge my good friend, the coach and general manager, Peterborough native Bob Gainey, of the Montreal Canadiens. He's got the Canadiens on a six-game winning streak, and we look forward to going into the playoffs.

Also today in my riding, Jim Balsillie, a Peterborough native and co-CEO of RIM—Research in Motion—from Waterloo, donated, along with his wife, \$600,000 toward the building of a new family Y in Peterborough. We certainly want to acknowledge his great contribution.

I'd also like to indicate to members that we look forward to seeing each and every one of you when the International Plowing Match is hosted in the riding of Peterborough, in the municipality of Otonabee-South Monaghan, in September. We look forward to seeing you all there.

I've had the opportunity in the last couple weeks to review what is happening in the riding of Peterborough—the good news. We have an unemployment rate right now of 5.9%, which is one of the lowest in recent memory.

We talk about opportunities in the manufacturing area. PepsiCo Quaker, Tropicana, Gatorade certainly have had many ads in the Peterborough Examiner looking for new employees in manufacturing. GE Canada, which has a



substantial operation in Peterborough, small motors and nuclear products, is also on the hunt right now for new employees, creating new opportunities. Numet Engineering, which is involved in the nuclear products field, just recently embarked on a large expansion of their operation in Peterborough, and they will be bringing about new hires.

Minute Maid orange juice, a subsidiary of Coca-Cola in Atlanta, Georgia, has a major expansion in Peterborough. They're doing so because the investment climate is a good one right now in the province of Ontario.

On the retail side, I know many shoppers in Peterborough are looking forward to Costco building new operation in Peterborough come this spring. For those of you who are familiar with Peterborough, Lansdowne Place is a major mall in Peterborough and will be expanding to some 30 stores in the near future. That also bodes well that the retail climate is well and healthy in the riding of Peterborough.

I want to spend some time today talking about what I think is very important, as a former municipal politician in the city of Peterborough: the fact that announcements just prior to the budget and contained in the budget are starting to go a long way to upload some of those exorbitant costs that municipalities of Ontario had to face when Mr. Harris downloaded them in 1997 and 1998. As I've indicated on previous occasions, I was at that famous AMO meeting in 1998 when the Premier of the day came in. He got a standing ovation when he announced that downloading is going to occur. Many individuals who were in that room that day thought, "My goodness, this is a great day for Ontario," but they knew that many of us who took a different view at that particular time realized that that was a ticking time bomb.

Now we've started the uploading in the public health field, which is so very important. Secondly, a major announcement was made by the Premier at the Good Roads conference this year that the land ambulance will be brought back to a 50-50 split. As was originally put forward when the downloading occurred in 1997-98, in some municipalities in Ontario, the provincial share went from 50% down to 35%, and in some municipalities across the province as low as 33%. We know when it dropped, those municipalities that were at 35% and 33%, that that burden was directly shifted to the property taxpayer. We've announced, I think, a fairly ambitious target to bring it back to 50-50, which will certainly reduce the pressure on municipalities across the province of Ontario.

I have two copies here of the Peterborough Examiner. The first one is dated Tuesday March 28, 2006. It's the editorial that says, "Ontario Budget Good News for Cities" in the province of Ontario. It said, "Premier McGuinty deserves a lot of credit for starting the uploading of many services in the province of Ontario, and he's done so in a very ambitious way."

We rejigged the policy with regard to the gas tax. Now it will allow municipalities not only to use it for capital issues but also to look after some of their operating costs.

I think it's a great day for municipalities as we've started that process to go forward.

Then there's another editorial in the Peterborough Examiner, Friday, March 31, 2006. It's talking about the county budget in Peterborough. It says, "Room for" tax "Relief." Why is there room for tax relief? New provincial funding could be used to keep taxes down. This budget—

**Mr. Bill Murdoch (Bruce-Grey-Owen Sound):** What?

**Mr. Leal:** I say to my good friend Mr. Murdoch, here they are right here. Peterborough Examiner; I'll give you the copy, sir, if you want to read it. The other one says, "Good" news "for Cities." Good news for Peterborough. That's what the editorial says.

Not only that, the county of Peterborough will be getting \$2.2 million and each municipality in the county of Peterborough will get an allocation to do bridge and road work, something they asked us for when we all met at ROMA a few short weeks ago. I say to those members from ridings that don't want the money, if they don't want the money, they can contact their local mayors and reeves and get the cheques back and bring them back here to Queen's Park, and rest assured we'll find a very good use for them.

I want to touch upon agriculture for a moment. We hear a lot about agriculture. I do want to bring something of interest to the Legislature's attention. Some time ago I asked Jerry Richmond—Mr. Richmond is a research officer with the Ontario Legislative Assembly, an independent third body—to do a review of the agriculture budgets from 1995 to 2003, just to give me an independent analysis of where agriculture budgets have been going during our predecessors' government. I want to quote page 7 of the report. It says, "On July 21, 1995, Mr. Eves, the Minister of Finance, as part of the government-wide fiscal overview in spending cuts, announced an operating reduction target for the agriculture ministry of some \$13 million and a capital spending reduction target for the ministry of some \$1 million." It goes through, was implemented. "Permanent operating reductions of \$13 million were also announced. These included (1) the cancellation of \$2.5 million for the Niagara tender fruit-lands program; (2) reductions in the private mortgage component of the agriculture investment strategy; and (3) reductions in the foodservice component of the Ontario Foodland program." These were implemented. He goes on to say that there were some other serious reductions in the ag budget—talk about closing agricultural offices across the province of Ontario. And over the profile there was a commentary in December 2000 from the Ontario Corn Producers. I'd just like to get their commentary into the record.

"First came the ravaging of OMAFRA extension services, with the closing of most county/regional offices—indeed, effectively closing them all, since the remaining offices no longer have local service mandates. Government spokespersons may pretend that the skeleton structure remaining is an 'improvement', but it's not.



Gone is the front-line delivery service—and provincial [agricultural] specialists are being drawn in to help fill local voids, meaning that provincial specialists have less time to concentrate on new innovations and ‘big picture’ issues, as should be their role. They’re too busy answering questions and dealing with the local crises which were formerly handled by local staff.”

There were a number of other closures during that time. They closed an office in Brighton, Ontario. They closed the local ag office in my riding of Peterborough and, frankly, over a period of time, they also closed—and the member for Northumberland should know this—the Brighton veterinarian lab, the milk utilization audit program was cancelled and the foodservice component of Foodland Ontario was reduced. When they’re talking about agriculture, the proof is in the pudding that they reduced agriculture and we’ve increased their budgets.

**2030**

**Mr. McNeely:** I’m pleased to rise in my place to speak about a budget that was delivered in this House—and not outside of this House, but right here—on March 23, 2006.

Being one of the members of the seven Ottawa ridings, I specifically wanted to emphasize how fair this budget was to the whole province, but especially to Ottawa. In the Ottawa area, and specifically in my riding of Ottawa—Orléans, we are proud to see new and increased investments in our city.

As a former consulting engineer, I spent 35 years dealing with infrastructure in municipalities. I have a special interest, and I believe an insight, into the infrastructure and how it was covered in this budget. The McGuinty budget addresses the infrastructure deficit left to us by the Tory Harris legacy after eight years of slash and burn in this province. We have seen that lack of investment in public transit has led to a huge decrease of 16% in the transit supply, seats per kilometre, and an 11% decrease in transit ridership, moving in a different direction than we should be going if we’re going to have sustainable cities in Canada, in Ontario, like Ottawa and Toronto.

I’d like to also talk about the health care in Ottawa. I remember in the Harris Tory days when the Grace Hospital was closed. My four children were born there. It was an excellent hospital, but it was closed by the Tories. Riverside hospital, a great hospital that cared for my mother in her sickness—it was closed. The Tories tried to close the Montfort Hospital. Minister Meilleur knows that. Gisèle Lalonde and the francophone community kept that hospital open by winning a court decision. That was the only way that it was kept open. Now that hospital is being doubled in size with over \$150 million of provincial money going in. It’s a great hospital in the east end of the city, one of the most efficient hospitals and certainly one that we cherish in our community.

We had the cardiac unit at Children’s Hospital of Eastern Ontario; they tried to close that. They brought in a supervisor for the Ottawa Hospital. I think he’s now the

Minister of Health, federally. But after spending six or eight months there, he decided that it was underfunded.

That was the story in health care in Ontario, but you never knew what the story was, because the government of the day would not measure to see how well we were doing across the province. That’s why we had this ICES report. It’s a fairly large report that came out last April. It’s the Institute for Clinical Evaluative Sciences. It does an evaluation of health care in Ontario. What it did was it measured 16 or 18 specific procedures. Lo and behold, something that we knew in Ottawa all the time: We had less than half the MRIs per capita that they had in Toronto; we were the 14th out of the 14, the absolute worst. Under Sterling, under Baird and under the Tories of those years, Ottawa had the worst wait time out of 14. That history was there. It was shown in the April 20, 2005, report by ICES.

What did they say when I brought that up to both of them? They said, “Well, it’s because of Quebec.” I said, “What do you mean, Quebec?” In the 1970s and 1980s, Ottawa delivered the health care for the Hull region, which is now Gatineau. That was gone in the 1980s, but these guys sat there in the 1990s and they let the per capita health funding stay the same, even though we’d lost all those revenues from Quebec. All they could tell me in 2004 and 2005 was, “It’s because of Quebec.”

That went as far as the Citizen Reporter. I said, “Well, what do you think of this? Ottawa is 14th out of the 14, the absolute worst. We wait over a year for an MRI exam.” Of course, the reporter for the Citizen said the same as they did: “It’s because of Quebec.”

Thank God the new Minister of Health, George Smitherman, is doing a great job. He understands what the ICES report said. He understands there should be equity in health care in Ontario, and he’s moving ahead very quickly to bring us that. We now have 42% more MRIs in the Ottawa area in just over two years. It’s certainly a big change from what we’re used to. Now we’re getting representation and equity for the whole province, and that makes a big difference.

There is more than \$500 million going towards projects in Ottawa: a new expanded cancer centre with sites at the Ottawa Hospital and Queensway Carleton Hospital that will reduce wait times for cancer treatment to three weeks; a new Royal Ottawa Hospital, publicly owned and accountable; an expanded Montfort Hospital, double its size, is going to be great for our community; an expanded Queensway Carleton Hospital, a new emergency wing; expansions at the civic site of the Ottawa Hospital, with new emergency services; a new critical care wing at the Ottawa Hospital, general site; expansions at CHEO, including an ICU wing with oncology and ambulatory care. So every hospital has these cranes at them now. We’re expanding all the hospitals in Ottawa, an area of investment that the Tories would not do, that the Tory cabinet minister in Ottawa would never get for us.

We’ve had investments in education. We know that investments are all across the province. Thanks to



initiatives brought forth by the McGuinty government, class sizes are smaller, we have numeracy and literacy specialists in our schools, and we have parents, teachers, unions and government working together for the benefit of our youth. Our recent initiative to keep kids in school by offering skills training co-operation between colleges and high schools will help provide our children with skills and training to reach their potential.

In Ottawa this year, funding for post-secondary education was significant, with Algonquin College expanding; also Carleton University, La Cité collégiale, the University of Ottawa, a new Deslauriers high school for the francophones and increased funding for local school boards through Good Places to Learn.

Teachers are telling us that they have more time in the classroom and that there's a much better attitude in the classroom. That's one thing I do get quite often in my community, that the education at the lower-school levels is really much better, and I know it is as well.

In the last budget, Ottawa got \$32.8 million from Move Ontario, of \$400 million across the province for roads and bridges, as the member for Peterborough said, something that the municipalities asked us for. Certainly, those dollars are going to come in very handy, for sure.

The Harris administration withheld support for public transit. That has just left a mess in our cities. It's not only Toronto; it's in Ottawa. I remember the member for Lanark-Carleton told us the other day that he came down to present a cheque for \$17 million. I think I was there when Minister Meilleur was the chair of the transportation committee. Sure, he brought one cheque, but that was the only cheque I saw him bring down for public transit. After six or seven years in government, they came down with one cheque. Our buses were old and our public transit was decrepit.

Now we hear from the Conservative leader that we should have balanced the budget, that we shouldn't have put this money into public transit. We have to make those investments in public transit in all our cities. Ottawa is getting over \$400 million—\$200 million in light rail transit. That is the start of our major expansion: \$200 million there, \$200 million from the federal, and the city will be putting in \$325 million, for a total of \$725 million. As Minister Jim Watson said earlier, it is the biggest project that Ottawa has had.

We've really done well in Ottawa in this budget. The gas tax alone was \$83 million, with \$18 million last year, \$27 million this year and something like \$40 million next year, for a total of \$83 million. As part of the recent 2006 Ontario budget, Ottawa received \$22.9 million in one-time funding for transit vehicle purchases. Just that one expenditure is more money than the Minister of Transportation in the former government ever brought down to the city of Ottawa. I recall seeing him only once. I think that was the maximum number of times that he came down.

Our city received more than \$123 million for health care, which will go towards the Roger's House palliative care centre, for new land ambulances. I was with

Minister Watson and we delivered a cheque for \$5.7 million for the land ambulance just last week. But we're going to upload the cost of land ambulances, not download it as the former government did.

Two new MRIs at the Queensway hospital and the Montfort Hospital have made a big difference. They gave the hospitals that had existing MRIs enough money to run them 24 hours a day. I took my wife in at 1:30 in the morning for an MRI. That wasn't an inconvenience to me. But the Tories could not come up with the money to run those MRIs to give us equal care in Ottawa. There's a new replacement MRI at CHEO.

We've reduced wait times for hip and knee surgeries, for cardiac surgeries, for cancer treatment and cataract surgeries. We've had a 21.5% increase in base funding at Queensway Carleton. I know the SCO, the Sisters of Charity, who have a long-term-care facility in my riding, got a \$5.7-million increase in their base funding, just to bring them up to the same per capita funding they were getting in other parts of Ontario.

I must say that this government is treating Ottawa the same as the rest of the province. We're getting good investments in health care, education and job creation, and I'm very proud to stand here today and to say that we do have a budget that's good for Ontario and good for Ottawa.

2040

**The Acting Speaker:** Questions and comments?

**Mr. Toby Barrett (Haldimand-Norfolk-Brant):** I'd like to make a comment. The member for Peterborough made reference to issues agricultural. It just so happened that in my desk I had some e-mails from a farm community just north of Peterborough, in the Sunderland-Lindsay area. It's hard to tell with e-mails exactly what area they're coming from. They made reference, lamenting the fact, really, that farmers had spent four days out front. They did feel neglected by this government and they felt insulted and, by extension, that small-town and rural Ontario had been neglected and insulted.

Just looking at these e-mails, they indicate that if the present government had balanced the books, they could perhaps accept some of that. It would be a tough pill to swallow, not getting the support they required, but they would accommodate that if they had known the government was at least trying to balance the budget or if they had made cuts to reduce the deficit. Farmers indicated they could have accepted that and tried to accommodate that and tough it out, on the understanding that at least this government was treating everybody equally.

I suppose these e-mails from north of Peterborough—they perhaps would have been involved with some of the tractor rallies during the Whitby by-election. They clearly were of the impression that the budget was moved forward two months. They knew the Minister of Finance was at the Whitby Curling Club two days before the election, presenting his budget figures. From their perspective, it was designed to buy votes. They consider that an outright insult, again, to not only agriculture but to rural Ontario and to the Ontario—



**The Acting Speaker:** I'm afraid your time has expired.

**Ms. Horwath:** I did listen carefully to the members from Peterborough and Ottawa–Orléans, both of whom spoke about cities and infrastructure. The member from Peterborough spent some time on agriculture and the member from Ottawa–Orléans spent some time in terms of health care issues.

There's no doubt that some cities will see some benefit as a result of this budget, but the thing I think that is most frustrating from a city's perspective as well as from the agricultural perspective is the lack of sustainability and the lack of predictability in the direction in which this province is going in that regard. For example, the city that I come from, yes, saw some relief from the government after coming cap in hand saying, "We still have a problem with our out-of-whack funding." The government still has not taken action to deal with the fact that the funding relationship with cities—and you'll know this very well, Mr. Speaker—is not sustainable. It's not appropriate to have many of the costs that are currently borne by the property taxpayer at the local level at that level. In fact, we're unique as a jurisdiction in the types of programs that are being funded off the property tax base. It's simply wrong and it needs to be fixed. If the government would take the time to actually fix the problem with the formulas, then every single year the same cities wouldn't have to be coming back, cap in hand, begging the government to fix their fiscal problem. There needs to be a full-scale systemic change that includes massive uploading of programs and a massive re-shift of who pays for what at what level.

I thought it was also important to acknowledge and recognize that, notwithstanding the government's remarks around health care, we have to recognize that this government is privatizing health care by leaps and bounds in this province. It's not only a matter of private hospitals; it's a matter of competitive cutthroat bidding through the LHINs process; it's a matter of being concerned about the reduction of the things available to people through OHIP, like chiropractic and physiotherapy, and many more issues that I'll speaking about a little later.

**Mr. John Milloy (Kitchener Centre):** I want to begin by congratulating my two colleagues, the member from Ottawa–Orléans and the member from Peterborough, for their fine presentations tonight. They outlined the positive benefits of the budget for their communities. Indeed, I think most members in the Legislature could stand here this evening and talk about how this budget will directly have a positive impact on where they live.

Certainly in Waterloo region there's a tremendous amount to talk about. Perhaps one of the highlights of the budget was the commitment by this government for \$100 million to go to two outstanding research institutes in my community, the Institute for Quantum Computing at the University of Waterloo and also the Perimeter Institute, which is an independent research centre located in downtown Waterloo.

Just to spend a minute on that, I don't think people realize that when we talk about some of the research that's going on in this province, certainly in the Waterloo region area, we're not talking about the best in Ontario; we're not talking about the best in Canada; we're talking about the best in the world. We're talking about centres of research which are attracting people from some of the best universities, from the best research centres across the world, to have this knowledge cluster.

What impressed me about this budget, what impressed me about the Minister of Research and Innovation, who happens to be the Premier, is that they looked ahead and saw that we had this capacity within Ontario, that we are the best in the world, and that by making a significant grant of this \$100 million, we could ensure that we continue to be leaders in these areas of pure research. Not only will it be of tremendous benefit to my area in terms of ensuring that we're seen as a world-leading research cluster, but it's also going to be an incredible benefit to Ontario and to everyone in terms of the types of findings that they come up with. All the discoveries that we see marketed today started as pure research, and this grant will help see it through.

**Mr. Miller:** It's my pleasure to add some comments to the member from Peterborough and the member from Ottawa–Orléans on the budget amendment debate this evening.

The member from Haldimand–Norfolk–Brant also was speaking about his favourite topic, which is farmers—farmers who were, sadly, left out of this budget. No matter what fancy accounting the government may throw at you, the clear facts are that this year, there are going to be \$244 million less spent on agriculture than last year, despite the fact that—

*Interjections.*

**The Acting Speaker:** Order, please. Order.

**Mr. Miller:** —this is getting some of the government members riled up a bit—despite the fact that farmers were here for three days, roaming around Queen's Park with the tractors, which didn't seem to get the attention of the government. The farmers were ignored once again.

In the few minutes that I had an opportunity to get out of this place, I went to the library and scanned through some of the northern papers. Overwhelmingly, in the northern papers—I read half a dozen different editorials. The message was, the government should have balanced the budget. They should have balanced the budget when they had an extra \$3-billion more revenue than they planned on a year ago. It's absolutely, simply irresponsible of this government to not balance the budget when they had an extra \$3 billion. Where did the money go? Perhaps—

*Interjections.*

**The Acting Speaker:** We have been doing very well all night till now. I would ask the members: please, it's 10 to 9, we're nearly finished the debate, and the member has the floor.

**Mr. Miller:** I asked, "Where did the money go?" The member from North Bay and Nipissing is getting riled up



again. Where did the money go? Perhaps it went—we learned today there have been some 7,200 new civil servants hired in the province of Ontario. Well, this is exactly what happened back when David Peterson came into power. I remember that my father had been the Treasurer. For the five years leading up to that, there'd been a 5,000-member reduction in the civil service. Then the year after Peterson came into power, they hired 5,000 more back, in the tax-and-spend Liberal ways.

**The Acting Speaker:** Response?

**Mr. McNeely:** I'd like to thank the members from Peterborough, Kitchener Centre, Hamilton East, and Parry Sound–Muskoka.

I'd like to get back to what the member from Parry Sound–Muskoka said, and that's what we found out, that the leader said as well: "Do more and spend less and balance the budget and do more." It wasn't the way that it happened.

I just want to go over the Tory legacy for the factors driving congestion increases from 1986 to 2001. This is a report: GTA Travel Congestion Costs and Long-Term Strategies, by Neal Irwin, IBI Group, March 22, 2006. This was given just two or three weeks ago. This is the legacy of not funding public transit, and that's what we had to do. If you look at the major expenditures, whether they're in Ottawa or in the greater Toronto area, they're public transit. Lower auto occupancy: The number of people per vehicle was down 6.9% under their government. Increased auto modal share—that means cars as overall transit, overall passenger numbers—up 6%. Rapid growth in vehicle trips: autos up 57%, trucks 38%; roads up 34%, but transit down 16% during those years of that government. That's what we were faced with and that's what this government was looking at.

**2050**

We're looking at the annual costs of people sitting in traffic today just for the greater Toronto area—but it's true right across this country and right across Ontario—\$1.11 billion. That's 10 bucks an hour for sitting in traffic. I don't think anybody likes to get paid 10 bucks an hour for sitting in traffic. But the worse thing is that in 30 years, if we don't do anything, \$4.36 billion, and that starts adding costs to all our trucking etc. So we're in tough shape here because there was nothing done for eight years, no dollars spent. Under the Tories, public transit was a bad idea; people should pay for their whole costs. So I'd just like to say that if you're in gridlock today, thank a Tory.

**The Acting Speaker:** Further debate?

**Mr. Barrett:** I'd like to address this budget amendment, and I'll be splitting my time with the member from Bruce–Grey–Owen Sound.

It is becoming increasingly clear that what we're really debating is a "pay more, get less" budget. I think the member opposite referred to it as a "do more" budget. I do know that at the London farmers' rally today there were a number of signs on tractors that would disagree with the "do more" statement. In fact, the signs stated "Dalton—Do Nothing." This was seen to be the theme

today at the London rally, and of course lots of signs of "Pinocchio" along with the "Farmers Feed Cities," the bright yellow and black signs that we're all so familiar with.

So it's a pay more, get less budget. I would hate to have someone try and switch that one around. In fact, we've been paying more and getting less for several years now, certainly since 2003 with the advent of the McGuinty government.

It's no secret that the farmers are furious. Just recently I read some of the e-mails that I've been receiving from farm leaders. I do encourage members to attend some of these farm rallies. The rally this morning was right by the side of the 401. I'm sure that a number of MPPs in this Legislature drove right by that rally in London—certainly those members representing ridings to the west of London. To get to Queen's Park, they would have driven right by. I was there for a few hours in the morning. I couldn't stay for all of the rally, and I'm just hoping that the members to the west paid tribute to the farmers and would stop in and try to understand—

**Mr. Murdoch:** Especially those London members. You'd think they'd all show up.

**Mr. Barrett:** They would be very close, because the farmers took their rally to the city, right through the centre of the city. I know they were intending to visit Kellogg's; they were intending to visit Casco.

**Hon. Madeleine Meilleur (Minister of Culture, minister responsible for francophone affairs):** Visiting your friend Mr. Harper.

**Mr. Barrett:** I will be going to Ottawa tomorrow. Again, I do sincerely hope that the Ottawa area-members will be at the Ottawa rally. It goes on for a couple of days. If people aren't going, I'm sure they'll let farmers know they won't be able to attend, or send their regrets.

But as I say, I've just come from that London rally this morning. The one in Ottawa, that's the big one. I can't predict what's going to happen after that, because there is an undercurrent of rage, anger, hopelessness—

*Interjection.*

**Mr. Barrett:** I hear the member opposite attempting to blame this on Harper. We've just jumped from a Liberal debate that blamed everything on Mike Harris. Now we see the members opposite blaming Stephen Harper.

Apart from this blame game, we've all had time to take a look at the numbers in the budget. We all know the Ministry of Ag budget has been slashed by 21%. This has been mentioned more than once today. In real numbers, that is a cut of \$244 million. Last year's budget was raised by one of the members opposite, and the cut last year was \$167 million. We are all aware of the ad hoc announcement that was made before the budget of \$125 million; \$80 million of that was for grain and oilseeds, and that represents a 52% cut to the grain and oilseed producers compared to last year.

If you look at these numbers, it clearly is a formula for disaster. If you add up the numbers, we are paying more—certainly paying more in taxes. And I don't think



anyone opposite here is going to walk away from their responsibility for implementing the health tax.

Very clearly our farmers are getting much, much less. The 2006 budget makes clear that the McGuinty government has perfected the art of turning opportunity into nothing but disappointment and bitterness. The budget was a chance for Premier McGuinty and the present Minister of Agriculture to show farmers, certainly farmers rallying in front of Queen's Park, that government had heard their plight and was ready to act. Instead, our very weary farmers are met with cuts to agriculture spending, more neglect, more blame and blame game from this provincial government.

When Ontario's Minister of Agriculture is faced with questions about her ministry's second-class status within this McGuinty government, we do get the "blame Ottawa" refrain—just a few minutes ago I heard the "blame Harper" refrain—rehashed numbers and a smattering of feel-good pronouncements with respect to rural Ontario. The minister tells us she's listening and working on behalf of farmers. I just read some e-mails in tonight: Farmers are telling me that she's not.

Further to that, I'd like to quote the president of the Ontario Federation of Agriculture, Ron Bonnett. I'll just use one word, and I quote Ron Bonnett. That word, with respect to the budget, is "shocking." That was his reaction to news that this government had slashed agricultural support again. If people opposite would listen to farmers, they would understand what's being said out there.

Last week, the finance minister had an encounter with the very farmers that this government seems hell-bent on destroying. The Minister of Finance went to the Whitby Curling Club during the Whitby by-election. It was two days before election day. His goal? To peddle his budget for a few extra votes, but, as we saw on the by-election day itself, Ontario residents aren't buying.

**Hon. Mrs. Meilleur:** You almost lost the election.

**Mr. Barrett:** Someone said that one of the candidates almost lost. Well, in this game it doesn't matter whether you almost lost or not. There is really only one person who comes out in front. I would think the president of the Liberal Party would know how that works.

What we saw from the people in those three by-elections was one big "no, thank you," and in particular in Whitby.

When the Minister of Finance saw the group of angry farmers out in front, he did try to escape, if you will, in his limousine. As we know, Mr. Tory was able to convince the Minister of Finance to say a few words to those assembled. Sadly, the Minister of Finance repeated the same mistake he made on budget day, blindly blaming the federal government for his own inaction. Farmers are getting tired of the blame game. Essentially what they see are endless insults from this government.

Six months ago, in estimates, I asked the ag minister about the prospect of ministry staff working with farmers to come up with a viable risk management program. To

her credit, she did pull her head out of the sand for a while and indicated, "CAIS has not worked"—

**Hon. Steve Peters (Minister of Labour):** On a point of order, Mr. Speaker: I'd like to know how parliamentary accusing a minister of taking her head out of the sand is. I think that's very disrespectful to the Minister of Agriculture and Food.

**The Acting Speaker:** I have to tell you I would take no umbrage from such a statement. I've heard it many times in this House and I've never had a complaint.

Please continue.

2100

**Mr. Barrett:** I don't know; there are so many age-old expressions. "Had the blinders on": Maybe I'll use that expression. She took the blinders off long enough to say, "CAIS has not worked well for grains and oilseeds." But a simple admission of guilt from the Minister of Agriculture doesn't put money into the pockets of farmers.

Again, with this particular budget and, one would hope, the influence of the lead ministry on the budget process, it does raise the question: Has the ag minister forgotten that she recognized that CAIS is not working? Has she forgotten about the farmers? The evidence would suggest that she has, in fact, forgotten.

I have reminded the minister several times about the farm income crisis. I've certainly reminded her in the Legislature here. I can run down: on March 28, March 27, March 23, March 1, February 23, February 16—these are all instances when this has been raised in the Ontario Legislature either in question period or in statements—February 15, February 13. This is just a sample of times when I, for example, have proactively warned the minister of the damage that we see, and again, damage not only to farmers but to rural Ontario and small-town Ontario. It's all in Hansard.

Again, we see a government that has turned its back on farmers. We do expect more rhetoric. I wish to read into the record—and we're going to hear this—"We're waiting for the federal government." I stress the importance of members opposite trying to make an attempt to get to Ottawa this week. We've had enough of the blame game. We'd like to see some action. We're looking for some leadership. For example, where is the Ontario government proposal?

*Interjection.*

**Mr. Barrett:** I should wrap up shortly.

**Mr. Murdoch:** Well, you could, yes.

*Interjection.*

**Mr. Barrett:** Just to wrap up—and I want to override some more blame game here: Where is the proposal for risk management? Where is the proposal for self-directed risk insurance? Where is the proposal for an exit program for our tobacco farmers?

I will yield to the honourable member.

**Mr. Murdoch:** It's my pleasure to have a few minutes to speak on the budget that we're all talking about. Before I start, though, I'd like to mention to the member from Kitchener Centre: Didn't those mighty Rangers fall pretty hard when Owen Sound put them to the—



*Interjection.*

**Mr. Murdoch:** I just thought he'd like to know that. And the member from Peterborough was in here bragging about his team. Well, I hope they get to the finals, because Owen Sound will be there waiting on them; that's for sure. I just had to put that in.

**Mr. Milloy:** Wait till next year.

**Mr. Murdoch:** He says, "Wait till next year," and then they'll blame the federal government, but that's okay.

We're here today to debate a motion, an amendment to the budget. Let's read this motion. "That this House approves in general the budgetary policy of the government" be amended by deleting the words following the words "That this House" and adding thereto the following:

"recognizes that the budgetary policy put forward by the Minister of Finance continues the McGuinty government's legacy of broken promises and demands more and more from taxpayers while delivering less and less, and that this House condemns the government for," and I will stop there.

A lot of promises have been broken, guys. I notice that a lot of you talk over there, and you like to blame the previous government. Every government does that. That's fine. Now you've got to a point where you want to blame the federal government. You know, fellows, that won't work. We even did some of those things when we were over there. Do you know something? We're sitting over here now. That's what's going to happen to you guys if you keep sticking up for things that, in the Premier's office, they want, when you know they're not right. You know you had a big budget, and you had all kinds of money to balance that budget. It's one of those promises that was broken.

It goes on further:

"Using questionable accounting tricks to inflate an artificial deficit that suits their own political agenda"—oh, I missed a sentence there.

"Not living up to its promise to balance the budget and actually making strong efforts to avoid doing so"—that was another line that was up ahead.

"Failing to support Ontario farmers in their plight while simultaneously cutting the Ministry of Agriculture more than \$240 million."

I know it's been talked about here, and there's disagreement about whether that's right or wrong. Well, it's in your budget. We're just going by what you printed. Again, if you're telling us that isn't right and that you want to reprint the budget, well, maybe we could look at that.

Let's go on here:

"Suffocating the Ontario economy and competitiveness with out-of-control taxation, spending, and ill-advised electricity policy and allowing Ontario to fall further and further behind the rest of the country in economic success and growth"—You guys mentioned going up and up. We're going down and down, fellows, and you've got to recognize this.

Mr. Speaker, I wouldn't be a guy to do this, but we're almost short of a quorum; not quite, but it's getting there. Whoever is the whip over there today might want to ring a few alarm bells. It's getting pretty close, since some of the other opposition left. Anyway, I just thought I'd help them out a little bit.

"Losing more than 80,000 well-paying manufacturing jobs under their watch and failing to have an overall plan that will aid the many communities now affected by mass layoffs and plant closures;

"Allowing and implementing more than \$2,000 in government fees and charges to accumulate on Ontarians' pocketbooks under their watch and as a result of their policies.

"Therefore, the government has lost the confidence of this House."

That's what we're debating here. If you want to stand up for your constituents, for your area, for rural and northern Ontario, you'll vote for this. Tomorrow it's a free vote. I'm sure you'll vote for this, if it's a free vote.

*Interjections.*

**Mr. Murdoch:** Some of them laugh over there. You're right. I know; there has not been a free vote since you took over. That was another promise broken. "We were going to have free votes. We were going to work with the opposition over there. We were going to help the opposition. We were even going to listen to backbenchers." They never listen to a backbencher, not even to their own, which is unfortunate, because I'm sure there are some of you from rural Ontario over there. There's got to be. If you like this budget, you can't honestly tell us in this House that you like rural Ontario. We've seen what you did to give to Toronto, and you forgot about the rest of us out there.

You didn't even want to balance the budget. You may have wanted to do that. Then you come up with this promise to municipalities: \$400 million for roads and bridges. Do you realize that \$15 million paves about 25 kilometres? That's not going to last long, fellows.

I sometimes don't agree with the NDP, but the NDPer who ran in Huron-Bruce last time was on the radio the other day and said, "You know, folks, it's great that the government gave enough money to a few municipalities to build a couple of bridges, but who's going to be left in rural Ontario to drive over those bridges?" Nobody, after you guys get rid of us. This is what has happened. You forgot rural Ontario and northern Ontario. You just sort of left them.

Now there's a big movement in northern Ontario to go to Manitoba. There are mayors up there saying, "That's where we should go. It's far better for us." Isn't that fun to have, guys, on your agenda: lose half or three quarters of the province to Manitoba? Manitoba says, "Come on, guys. Come on over." That's on your watch and that's what's happening because of budgets like this.

I want to say, there are a couple of good things in it: insulin pumps for children and some more gas tax to people who happen to get it, if you get it. Not everybody gets that, but it's nice if they allow it. At least there were



two good things in the budget, so it wasn't a total disaster—almost a total disaster, but a couple of good things.

Folks, you've got to vote for this amendment tomorrow if you want to be true to the people you represent. Remember, some of you folks, you come from rural and northern Ontario. You can't keep dumping on them in this place. You've got to stand up for yourselves. Don't let the mandarins and the people out of the Premier's office tell you what to do all the time. That's what happened to a lot of people in our government, and they're not here today. That's exactly what happened. They were told by the Premier of the day, "Do this," and they did it, and they're not here. I see the same faces, the ones who beat them, doing the same thing they did, and that's what is going to happen to you. If you want to come back and sit over here after the next election, that's your prerogative, but don't let them run you from the Premier's office. That's what has happened if you vote for a budget like this. You can't keep breaking promises and expect to get re-elected. There's just no way that's going to happen, folks. I've been here for a little while, so I'm trying to help you out a little bit.

*Interjection.*

**Mr. Murdoch:** There's the man from Kitchener again. He's going to get excited, like those Rangers. Boy, they're really good.

One of the things that really bothered me was, you didn't take back that clawback. Why didn't you get rid of that, guys? That was such a simple little thing in here, yet the people who have to pay that aren't very happy.

*Interjection.*

2110

**Mr. Murdoch:** Don't blame us. We're not over there. You are the government. This is really funny. You keep blaming the other government. Do you know something? We did that too and look what happened to us. We tried to blame the NDP for everything. You know, when you're the government, you've got to sometimes suck it up and do the right thing, even though the ones out of the Premier's office tell you you're wrong. Don't let them beat you. That's what happens to you. You won't be here—I'm guaranteeing you—if a lot of you don't start speaking up in caucus and telling them, "We won't let stuff like this come out here. We're going to have better bills. We're going to help people rather than taking more money away. We promised."

You got elected on promises. Do you not understand that? When you go out and promise people things, you can't break all the promises. I know a lot of people think that happens. "They're politicians. They can do that." But when the other politician comes along, you're not going to be here. I can count the faces in our government who would have been over there if this hadn't happened. So, folks, you'd better start looking at this budget and say, "This isn't right. We can't let this go," and you may have to turn it down, stand up. You'll all get up and they'll go across the rows and everybody will say, "Yes." That's really unfortunate. That's not what democracy is

supposed to be about. You're not the only ones who have done this, but one of those big promises was that you were going to be so different. You were going to work with everybody—backbenchers and everything.

We won't get into the things that happen in my riding that your government does and they don't bother to tell you. "You're on the other side; it doesn't matter." Well, it does matter. When you learn to keep your promises, you'll know you will get re-elected.

**The Acting Speaker:** Questions and comments?

**Ms. Horwath:** I enjoyed the remarks of the members from Haldimand–Norfolk–Brant and Bruce–Grey–Owen Sound, particularly the member from Bruce–Grey–Owen Sound and his very sage advice for the government members of the Legislature.

I think I heard from both members the frustration that the government didn't pay enough attention to the issues that concern them and the ridings that they represent, particularly deep concerns over the lack of direction that the budget has got in terms of solving some of the ongoing problems in the agricultural community. I think the member from Haldimand–Norfolk–Brant raised those issues very well and had some very wise criticism of the government's lack of addressing some sustainable solutions for the future of our agricultural community, the agricultural sector of our economy. I think the government would do well to take some of that advice and start making some real, long-term plans. Certainly people in the agricultural sector need to make long-term plans themselves if they're going to continue to successfully operate farms and if they are going to successfully feed cities. We all know what their campaign was all about, not too long ago.

Also, the member from Bruce–Grey–Owen Sound expressed his real concern over what appears to be a lack of acknowledgement of the importance of smaller communities, of rural communities, of smaller towns. Although the government spent a great deal of time and effort on Toronto, particularly, on some of the other bigger-city issues, the member brings a sense of the total ignoring of those other communities and the importance they have to the fabric of our province, and the fact that ignoring those issues and not hearing the concerns that come from those communities will be done at the peril of the government, or certainly at the peril of some of the members from the government side who represent similar communities.

All in all, I think both of the members did a good job of raising those issues in terms of the budget.

**Hon. Mr. Peters:** I'd like to comment on the statements of the members. It's interesting, the Tories haven't changed. They stand up on that manure spreader, that famous Tory platform, and then they just let it rip. Mitch Hepburn said that about the Tories 70 years ago and the Tories are still at it.

Last year at budget time, "The sky is falling. Oh, you've cut the agriculture budget." They do not understand how to read a budget. There are two budgets within the Ministry of Agriculture. There is the operating budget;



there is the one-time extraordinary. Last year you screamed that the sky was falling. The McGuinty government has been there to support our farmers in the past and we will again in the future. Last year you complained that there was nothing there. If you look at the fiscal year-end, \$277 million in additional support for farmers, including the \$125 million that was announced for our grains and oilseed farmers.

History lessons come out. I can remember Brian Coburn going around the province as Minister of Agriculture: "We've got the made-in-Ontario solution." We never saw it. The demise of market revenue in SDRM: That nail was put in the coffin by the former minister, Helen Johns, when she signed on to the APF in June 2003, because that's when the federal government said, "We are no longer going to fund companion programs in this province." So you can't blame this government for that. You signed on to that. You're the ones who set that direction in motion.

I reiterate, we have been there to support our farmers. The budget went up. We've provided an additional \$800 million in support for Ontario farmers. As you should know, historically, the safety net programs have been cost-shared on 60-40 basis. We need the federal government to take a lead. I am very confident in standing here and saying that if the federal government shows their commitment, I can pretty well guarantee you, Ontario has been there in the past and we'll be there again with our 40% share.

**Mr. Jackson:** It is truly unfortunate the member for Elgin-Middlesex-London didn't speak up this strongly for farmers when he was the Minister of Agriculture. The truth of the matter is, he didn't. To make matters worse, he couldn't even get the Minister of Agriculture in the federal Liberal government of Paul Martin—the past government that just lost the election—to concur to increase support for farmers in Ontario.

The fact is, it's bad enough that as a government you insult the bottom line for every farmer in this province. You're now insulting their intelligence by telling them they can't read a budget. These people are clever enough to figure it out. They look at the bottom line. What is the total amount of money you spent last year in agriculture and what's the total amount your budget said you're going spend in the next year? The truth is, it's \$244 million. You may come up with some emergency money 12 months from now because you're desperate to win an election and save a few rural seats. They are at risk by virtue of what you put in this budget and what you did not put in this budget.

You're cavalier. It's not just farmers that you are cutting. It's not just farmers you are picking on. You are picking on children in this province, cutting their services by \$82 million: support for children and youth services, children with mental health challenges, children with developmental disabilities, children with autism. So it's farmers, children, and the other one that keeps being overlooked: support for seniors in long-term-care facilities. In two years, in two budgets, you put \$1 a day in support

for seniors in this province. You are still dead last in this country for support for seniors in long-term care.

**Mr. Milloy:** The two members spoke a bit about promises. "Promises" makes me think back to the last election, when I, as a young Liberal candidate, went out. People used to say to me, "When it came to education, the Tories didn't have much of a record. When it came to health care, no, they didn't have much of a record. One thing they could do is balance their books." For a year, I had to hear about how the province's books were balanced; I had to hear about how great a job the Tories had done.

I wasn't just hearing it from local Conservatives. I was turning on the television to see debate after debate between the leaders and hearing then-Premier Eves say, "The budget is balanced." In August of that year, the public accounts came out and said, "Yes, there have been some problems here in this province"—there was SARS and a few other things—"but not to worry; the budget is balanced." They went to the voters of Ontario and said, "Vote for us because the budget is balanced." They went on TV and said, "The budget is balanced."

Then what happened? We came here and we found out that they had left us with a \$5.6-billion mess, and they have nerve to stand here and talk about broken promises. If they want to talk about broken promises, the Conservative Party should look in mirror and see the type of fiscal mess that they left us. Thank goodness that over the past three years we've had a series of finance ministers—Mr. Sorbara and Mr. Duncan—who have brought this fiscal mess back into line and under control. The deficit in this province has been reduced by 75% and is on the way to being balanced. Most importantly, we're going to have the auditor come through and show the state of the books before the next election so we never have a fiasco like this again.

2120

**The Acting Speaker:** Response, the member from Haldimand-Norfolk-Brant.

**Mr. Barrett:** It was a honour to share my time with the member from Bruce-Grey-Owen Sound.

I appreciate the comments of the member from Hamilton East and her references to the agricultural community. People in the large cities like Hamilton do appreciate the fact that farmers feed cities and farmers provide smokes for Hamilton, pharmaceuticals and all kinds of good things, legal and illegal, come to think of it.

The member for Kitchener Centre made mention, and I'm pleased that he made mention, of the four years of balanced books under the Mike Harris era. As I recall, that was probably the first time in 100 years that that had occurred.

*Interjections.*

**Mr. Barrett:** I do wish to point out or yell out over the din that Liberals in the province of Ontario have never balanced the budget. Isn't that something?

I would be remiss if I didn't make comment on the member from Elgin-Middlesex-London. I will convey a message to our present minister: Farmers can't wait any



longer. It is time for your government to take a leadership role. It's very important to do something about CAIS.

The member for Elgin–Middlesex–London signed off on the CAIS program with federal minister Lyle Vanclief. We now need a plan to replace CAIS. We have to undo the damage that has been done. We need a made-in-Ontario plan—now there's a concept—that would include risk management, a plan that would include self-directed risk insurance, something that would replace the MRI program that was eliminated by the stroke of a pen by the member from Elgin–Middlesex–London.

**The Acting Speaker:** It now being past 9:20 of the clock, in accordance with the rules of the House, I must now put the question.

On March 23, 2006, Mr. Duncan moved, seconded by Mr. McGuinty, "That this House approves in general the budgetary policy of the government."

On March 27, 2006, Mr. Tory moved that the motion moved by the Minister of Finance on March 23, 2006, "That this House approves in general the budgetary policy of the government" be amended by deleting the words following the words "That this House" and adding thereto the following:

"recognizes that the budgetary policy put forward by the Minister of Finance continues the McGuinty government's legacy of broken promises and demands more and more from taxpayers while delivering less and less, and that this House condemns the government for:

"Not living up to its promise to balance the budget and actually making strong efforts to avoid doing so;

"Using questionable accounting tricks to inflate an artificial deficit that suits their own political agenda;

"Failing to support Ontario farmers in their plight while simultaneously cutting the Ministry of Agriculture more than \$240 million;

"Suffocating the Ontario economy and competitiveness with out-of-control taxation, spending, and ill-advised electricity policy and allowing Ontario to fall further and further behind the rest of the country in economic success and growth;

"Losing more than 80,000 well-paying manufacturing jobs under their watch and failing to have an overall plan that will aid the many communities now affected by mass layoffs and plant closures;

"Allowing and implementing more than \$2,000 in government fees and charges to accumulate on Ontarians' pocketbooks under their watch and as a result of their policies.

"Therefore, the government has lost the confidence of this House."

The first question to be decided is the amendment to the motion. Is it the pleasure of the House that Mr. Tory's amendment to the motion carry? I heard some noes.

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it.

There being more than five members, pursuant to the agreement of this House earlier tonight, this vote is deferred until tomorrow at the time of votes in the afternoon.

It now being 9:25 of the clock, this House stands adjourned until tomorrow at 1:30.

*The House adjourned at 2125.*





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Honourable Michael A. Brown

Clerk  
Claude L. DesRosiers

Président  
L'honorable Michael A. Brown

Greffier  
Claude L. DesRosiers





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## LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 4 April 2006

*The House met at 1330.  
Prayers.*

### MEMBERS' STATEMENTS

#### KAYLA CORNALE

**Mr. Cameron Jackson (Burlington):** I rise today to congratulate Kayla Marie Cornale, a 16-year-old student at Assumption high school in Burlington. For the second year in a row, Kayla has won numerous awards for her research into autism and the program she has developed to teach autistic children. Working with her nine-year-old cousin, Kayla quickly recognized a strong musical talent, common to autistic children, and devised a teaching system based on musical notes played from a piano. Through this, she has successfully taught the entire alphabet, emotions such as happiness and fear, and basic nouns, verbs and adjectives.

Kayla's project, *Sounds into Syllables*, has won far too many awards to name in the last two years of its development; however, I would like to highlight that she won the 2005 Intel Foundation achievement award, the American Intellectual Property Law Association award and the American Speech-Language-Hearing Association award at the Intel International Science and Engineering Fair in Phoenix, Arizona. Kayla will be returning to the science and engineering fair again this year as part of Team Canada to compete with her updated research.

It should also be mentioned that Kayla developed her own computer software to assist in the teaching process and received Bell Canada's computer and communications award and Dofasco's information systems award as a result.

In a province where parents of autistic children feel that the McGuinty government has all but turned its back on their children, Kayla Cornale's love, compassion and innovation are a beacon of hope and a breath of fresh air.

#### WASTE MANAGEMENT

**Mr. Kuldip Kular (Bramalea-Gore-Malton-Springdale):** It gives me great pleasure to rise today to acknowledge Peel region's newest addition: its integrated waste management plant, located in my own riding of Bramalea-Gore-Malton-Springdale. This new plant boasts a single-stream material recovery unit, equipped with the latest sorting technology that can separate recyclable materials

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

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right at the plant, making recycling even easier for all Peel region residents.

Residents will no longer have to separate their recyclable items into a blue box or a grey box; the plant does all the work for them. I'm confident that this latest in sorting technology will foster an environment of recycling and, even better yet, encourage those not already in recycling mode to do their part.

I would also like to take this opportunity to applaud the efforts of the new plant's many dedicated staff, who devote their time and lives to helping ensure our environmental well-being in the years to come.

#### BORDER SECURITY

**Mr. Robert W. Runciman (Leeds-Grenville):** I rise to express concern about the dangerous political game played yesterday by the Minister of Tourism and the member for Niagara Falls. In a set-up question designed to divert attention from the McGuinty Liberal government's bloating of the bureaucracy—7,200 new employees listed in the government phone book and a 20% increase in those being paid more than \$100,000—the minister attacked Prime Minister Harper for his honesty on the issue of the United States requiring passports for entry and re-entry to their country.

The minister's ploy may have drawn in the media, but it is a short-term and short-sighted game the Liberal government is playing, with potentially long-term effects. No one has done more to alienate Americans than representatives of the Liberal Party, and those personal and frequently mean-spirited attacks have been widely reported in the United States. I've personally had American citizens ask me why Canadians hate Americans.

At the end of the day, it is the two federal governments that will resolve this situation, and I remain optimistic that it will be resolved. As someone with two international border crossings in my riding, I implore the McGuinty Liberal government to stop playing political games with this critically important issue and work with the new federal government toward a resolution that addresses the needs of both countries.

#### LONG-TERM CARE

**Ms. Shelley Martel (Nickel Belt):** Last Friday, I was pleased to participate in a lobby organized by family and resident councils from five long-term-care homes in Sudbury and area. I was given petitions signed by



hundreds of residents, family members and friends who are very concerned that underfunding of Ontario's long-term-care homes is having a negative impact on residents, many of whom are frail, vulnerable and require more care.

Their message was simple: Residents and family members want this government to fund 20 minutes more of hands-on care per resident per day. Despite their very best efforts, staff at the homes aren't able to meet all the needs because there aren't enough of them to do what needs to be done. More staff means more care that residents need and deserve.

It's frustrating for residents and their families to have to sign petitions to urge the government to act on the situation. After all, in the last election, the Liberals promised to "invest in better nursing care, providing an additional \$6,000 in care for every resident." But as revealed by the Ontario Association of Non-Profit Homes and Services for Seniors, the fact is that the government has only increased care funding per resident by \$2,000 per year. In its third budget, with a \$3-billion windfall, the McGuinty government should have done much more.

Secondly, the Liberals also promised "to reinstate the standards of care, including a minimum 2.25 hours of nursing care daily." The Liberals have failed to reinstate 2.25 hours of nursing care; in fact, they haven't implemented any minimum standard of care. There is no bottom line regarding how much care a resident is entitled to receive every day.

The Liberals made big promises to long-term-care residents and their families. In this third budget, they should have delivered on them.

#### HOCKEYVILLE 2006

**Mr. Jeff Leal (Peterborough):** I am pleased to be able to speak to the House today and throw my full support behind my hometown, Peterborough, in its attempt to become Hockeyville Canada 2006. Hockeyville Canada is a nationwide initiative and competition produced by the CBC and Kraft Canada. The winning community will receive money for an arena upgrade, as well as funds for new equipment and, most excitingly, will play host to an NHL preseason game.

Peterborough quickly received a petition with some 23,000 supportive signatures. Following in the Peterborough tradition, a grassroots committee organized by Dr. Bob Neville has recently carried Peterborough into the next round with some 50 other communities.

Peterborough is steeped in a rich hockey tradition. Our hometown heroes, the Peterborough Petes, recently celebrated their 50th anniversary in 2005, and this year have advanced to the eastern conference semifinals against the Sudbury Wolves. Since their inaugural season in 1956, the Petes have been to the Memorial Cup eight times and have a long list of NHL representatives, including Bob Gainey, Steve Larmer, Cory Stillman, Mike Ricci, Larry Murphy, Doug Jarvis, and coaches Scotty Bowman and the late Roger Neilson.

Furthermore, Peterborough held its first old-timer tournament and was host to the 1996 Memorial Cup, and this year is hosting the 48th annual Liftlock Atom Hockey Tournament for girls and boys, which attracts up to 500 volunteers.

Beyond any doubt, I believe the people of Peterborough deserve to be the host of Hockeyville 2006. Hockey is undeniably Canadian, and Peterborough is undeniably Hockeyville. Let's help bring NHL hockey to the Memorial Centre, and let's bring Hockeyville to Peterborough.

1340

#### HYDRO ONE

**Mr. Norm Miller (Parry Sound-Muskoka):** I rise today to question how this government can justify the salary of CEO Tom Parkinson of Hydro One Networks Inc.

Every week, my constituency offices receive calls from residents who are struggling to cope with existing hydro bills after the last round of rate increases. Now those same constituents have been told to expect another increase. People in northern and rural Ontario pay some of the highest delivery charges in the province and receive the poorest of service.

Essential forest management and infrastructure improvements to ensure reliable energy to customers appear to be at the expense of outrageous salaries and bonuses to management and staff at Hydro One. This winter in particular Hydro One customers in the Parry Sound region were particularly hard hit, as were residents in Bruce-Grey-Owen Sound. They were without power on numerous occasions for many hours on end.

In the past, I have heard from dairy farmers, abattoirs, restaurants, homeowners and businesses about the impact of power outages and the loss of business, to say nothing of the inconvenience. The community of Yearley has been tracking outages over the past several years in an effort to obtain better service. While the number of outages this year is significantly lower, the number of hours without service was up significantly—160% to be exact. Compared to details Hydro One reported in March 2004, there has been no improvement in service.

How does the government justify Mr. Parkinson's \$702,000 in bonus and other perks? People in my riding would certainly like to know what performance targets and service improvements they can look forward to as a result of Mr. Parkinson's leadership of Hydro One.

#### CRIME PREVENTION

**Ms. Judy Marsales (Hamilton West):** The Hug of Thanks extended to the Attorney General, Michael Bryant, from Mary Pocius, president of the downtown business improvement area, last Tuesday in Hamilton was a symbolic display of appreciation felt by the people of Hamilton for his courage and leadership demonstrated by the unprecedented use of the Civil Remedies Act.

This act allowed the province to foreclose on the owners of a building that had a notorious reputation as a crack house. It had also been the scene of two alleged cocaine-related murders. This building, called the Sandbar, known as the Corporation, as quoted by the Hamilton Spectator, was a place where anyone could buy crack from people working in shifts in a sophisticated criminal network.

I want to thank Minister Bryant for closing down 193 King Street East. Hamilton has been working toward a new revitalized downtown where citizens feel safe walking downtown and supporting our local businesses and community. Our heartfelt thanks also go to the men and women of the Hamilton Police Service, under the able direction of Chief Mullan, who have been struggling with the various occupants of this nasty building. Also present last Tuesday, offering his support, was Councillor Bernie Morelli, chair of our police services and a stalwart Hamiltonian.

Police say that in 2002, 100% of bank robberies, 95% of variety store robberies and 65% of break and enters in Hamilton were tied to crack cocaine. It was also stated that despite the searches, despite the seizures and despite the numerous deaths, this ugly operation kept going until early March, when Attorney General Bryant came in and shut it down. A big vote of thanks—

**The Speaker (Hon. Michael A. Brown):** Thank you.

#### BORDER SECURITY

**Ms. Caroline Di Cocco (Sarnia-Lambton):** As the member for Sarnia-Lambton, a riding which borders the United States, I was surprised to learn that our new Prime Minister, Mr. Harper, has decided to surrender on the issue of implementing mandatory new identification cards for travellers.

On both sides of the Canada-US border, politicians, business people and travellers have recognized how counterproductive this move will be, and we will continue to actively oppose this decision. Millions, if not billions of dollars worth of trade will be lost by both sides if this plan becomes a reality.

We have reaped many economic benefits having good and easy access between Canada and the United States, so I was disappointed that after so many years of positive integration and trust between our nations, Mr. Harper and Mr. Bush have decided to throw good sense out the window and take a step backwards. This step is not in the best interests of Ontario.

I urge Mr. Tory and the opposition to press their Conservative counterparts in Ottawa on this issue on behalf of the best interests of Ontarians.

#### RABBI LAWRENCE ENGLANDER

**Mr. Bob Delaney (Mississauga West):** It's an honour to rise today to recognize a great Ontarian who has worked tirelessly to strengthen the social fabric of the city of Mississauga. Rabbi Lawrence Englander, or

Larry, to his friends, of the Solel Congregation in Mississauga joins us today in the west gallery.

Rabbi Englander's long list of achievements will inspire all in this House. A spiritual leader of the Solel Congregation, Rabbi Englander and his congregation have sponsored refugee families, including one at present from Burundi; have established an interfaith food bank; and have launched a breakfast club for children. He also joined forces with other concerned partners to form a street patrol that delivers warm blankets and food to less fortunate families in Mississauga.

Rabbi Englander initiated meetings with two other congregations to help provide housing for families in need. Today, thanks to Rabbi Englander, 500 low-income families have a place known as Pathway to call home.

In 2005, the Governor General of Canada conferred upon Rabbi Englander the Order of Canada.

I invite my colleagues to join me in recognizing Rabbi Lawrence Englander and all his contributions to Canada, Ontario and the city of Mississauga, which is so proud of him.

#### INTRODUCTION OF BILLS

##### HIGHWAY 406 TO PORT COLBORNE ACT, 2006 LOI DE 2006 SUR L'AUTOROUTE 406 MENANT À PORT COLBORNE

Mr. Hudak moved first reading of the following bill:

Bill 87, An Act to extend Highway 406 to Port Colborne / Projet de loi 87, Loi prolongeant l'autoroute 406 jusqu'à Port Colborne.

**The Speaker (Hon. Michael A. Brown):** Is it the pleasure of the House that the motion carry? Carried.

The member may wish to make a brief statement.

**Mr. Tim Hudak (Erie-Lincoln):** I want to thank Port Colborne Mayor Ron Bodner, Niagara region Chair Peter Partington and Councillor Bob Saracino, and David Barrick, president of Port Colborne-Wainfleet Chamber of Commerce, for their support and advice on this bill.

The government has recently indicated that their intention was to extend Highway 406, through Highway 58, into Port Colborne. This runs against the preferences of the city of Welland, Port Colborne and other area municipalities. This bill would correct that by designating Highway 140 as part of Highway 406, not Highway 58.

#### MOTIONS

#### HOUSE SITTINGS

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** I move that, pursuant to standing order 9(c)(i), the House shall meet from 6:45 p.m. to 9:30 p.m. on



Tuesday, April 4, 2006, for the purpose of considering government business.

**The Speaker (Hon. Michael A. Brown):** Mr. Bradley has moved government notice of motion 89. Is it the pleasure of the House the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

*The division bells rang from 1350 to 1355.*

**The Speaker:** All those in favour will rise one at a time and be recognized by the Clerk.

#### Ayes

Arnott, Ted	Gerretsen, John	Peters, Steve
Arthurs, Wayne	Gravelle, Michael	Peterson, Tim
Balkissoon, Bas	Hardeman, Ernie	Phillips, Gerry
Bartolucci, Rick	Hoy, Pat	Pupatello, Sandra
Bentley, Christopher	Hudak, Tim	Ramal, Khalil
Berardinetti, Lorenzo	Jackson, Cameron	Ramsay, David
Bountrogianni, Marie	Jeffrey, Linda	Rinaldi, Lou
Bradley, James J.	Kular, Kuldip	Ruprecht, Tony
Broten, Laurel C.	Kwinter, Monte	Sandals, Liz
Brownell, Jim	Lalonde, Jean-Marc	Scott, Laurie
Cansfield, Donna H.	Leal, Jeff	Sergio, Mario
Caplan, David	Levac, Dave	Smith, Monique
Chambers, Mary Anne V.	Marsales, Judy	Smitherman, George
Colle, Mike	Martiniuk, Gerry	Takhar, Harinder S.
Cordiano, Joseph	Matthews, Deborah	Tascona, Joseph N.
Craiton, Kim	Mauro, Bill	Tory, John
Crozier, Bruce	McNeely, Phil	Van Bommel, Maria
Delaney, Bob	Miller, Norm	Watson, Jim
Dhillon, Vic	Milloy, John	Wilkinson, John
Di Cocco, Caroline	Mossop, Jennifer F.	Wong, Tony C.
Dombrowsky, Leona	Munro, Julia	Wynne, Kathleen O.
Duguid, Brad	O'Toole, John	Yakubski, John
Duncan, Dwight	Oraziotti, David	Zimmer, David
Flynn, Kevin Daniel	Parsons, Ernie	
Fonseca, Peter	Patten, Richard	

**The Speaker:** All those opposed, please rise.

#### Nays

Bisson, Gilles	Kormos, Peter	Ouellette, Jerry J.
Dunlop, Garfield	Marchese, Rosario	Prue, Michael
Horwath, Andrea	Martel, Shelley	
Klees, Frank	Murdoch, Bill	

**The Clerk of the Assembly (Mr. Claude L. DesRosiers):** The ayes are 73; the nays are 10.

**The Speaker:** I declare the motion carried.

### STATEMENTS BY THE MINISTRY AND RESPONSES

#### GOREWAY DRIVE GENERATING STATION

**Hon. Donna H. Cansfield (Minister of Energy):** Mr. Speaker, I'm pleased to share with you and our colleagues in the House today that Ontario is one step closer to a cleaner, more secure energy future.

I, along with my colleagues from Brampton-Gore-Malton-Springdale and Brampton Centre, had the honour of taking part in the launch of construction of Sithe

Global Power's Goreway Drive generating station in Brampton.

At this time, I would like to welcome, in our gallery today, Dave Foley, from Blackstone, and Duane Cramer, vice-president of Sithe Global Power. Welcome to the House, gentlemen.

When it is completed, the Goreway Drive facility will be capable of producing 875 megawatts of electricity, enough power for 330,000 homes. The privately funded plant will cost about \$1 billion and be constructed in two phases. The first phase will provide 500 megawatts of electricity by the summer of 2007, and the remaining 375 megawatts will be ready by the summer of 2008. It will easily be one of the largest combined-cycle natural gas generating stations in Canada.

#### 1400

The Sithe plant is being built to meet our directive to the Ontario Power Authority, asking that they address the vital need for electricity in the western part of the greater Toronto area. It is also an important part of our plan to close all the coal-fired generating stations in Ontario and replace them with cleaner sources of electricity. As members know, the Lakeview coal-fired plant in south Mississauga closed in April 2005. It was among the largest polluters in the greater Toronto area.

Our government is building a new energy future that will keep the lights on and ensure that our children have cleaner air. This facility and others being built in the Sarnia region and in other parts of the province will allow us to maintain a stable supply of clean power while closing down our dirty coal-fired generating stations.

Since taking office in 2003, over 2,800 megawatts have come online, and there are more than 11,000 megawatts that are being built. To put this in perspective, there is no other Canadian province or US state that will build more new generation capacity than Ontario over the next five years.

As we renew Ontario's energy system, we are embarking on one of the largest, most comprehensive building initiatives since Sir Adam Beck was running Hydro. These projects have included building wind farms across Ontario and bringing nuclear units back online. They have included the construction of new gas plants, like Sithe Goreway, and launching comprehensive conservation and demand management initiatives that will invest up to \$1.5 billion in energy conservation. They include a commitment to new renewable energy, with 18 new renewable energy projects that will add more than 1,350 megawatts of clean energy to the system by 2008, and one of the most ambitious and forward-looking standard-offer contract programs in North America.

Today's launch of construction of the Sithe Goreway generating station is indeed good news for our province, and it is one more indication that we are moving forward toward a bright energy future for our province.

#### JEAN LOWERY

**Hon. George Smitherman (Minister of Health and Long-Term Care):** I rise with deep regret today to mark

the passing of a nursing pioneer. Her name was Jean Lowery, and she spent 40 years devoting her skills and energy to the care and well-being of patients and also of nurses.

As my colleagues know, the profession of nursing has not always received the recognition and respect that it deserves. Ms. Lowery set to work on that. She graduated from the University of Toronto School of Nursing in 1957. She took up a profession whose practitioners, people dedicating their lives to caring for others, were themselves not cared for very much at all. Nurses were underpaid, they were undervalued, they were overworked and they didn't come close to receiving the respect that they should have. Jean Lowery didn't like that; she thought it was wrong. She thought nurses deserved better, and she began a decades-long battle to see to it that they received better.

In 1973, she was one of a number of nurses who met in Toronto to form the Ontario Nurses' Association. She was installed at that meeting as ONA's first president. She served the association in many capacities until her retirement in 1991, at which time she was awarded an honorary membership. Jean Lowery came to embody the ONA vision, which is, "Respected. Strong. United. Committed to members who care for people."

Speaker, because of people like Jean Lowery, whose commitment never wavered, nurses can proudly claim to be respected, to be strong and to be united. They are, as they have always been, the heart and soul of health care. Today, they are recognized as such, which is something that they have not always been. Thousands of nurses have benefited from the efforts made and the example set by Jean Lowery. As a result of that, hundreds and thousands of patients have as well.

Nursing is a profession that, especially early on, decidedly, desperately needed a champion. In this province, Jean Lowery was that champion. Our hearts go out to her family and her many friends and admirers, and we stand in mourning with the thousands of nurses in Ontario whose professional lives have been improved by the tireless efforts and the extraordinary commitment of Jean Lowery, a great Ontarian.

#### GOREWAY DRIVE GENERATING STATION

**Mr. John Yakabuski (Renfrew-Nipissing-Pembroke):** I'm pleased to respond to the minister's statement today. They made this announcement in October 2005, and we're finally getting to the point where we're actually putting a shovel into dirt. It's typical of how this government has operated. First they botched what was going on in Mississauga and Brampton. They signed contracts and made deals with Eastern Power. The place went bankrupt. One was cancelled. But every day, the clock keeps ticking on the critical supply shortage here in Ontario. So they basically had to start over with the Sithe project.

Look, we're pleased that we're going to have some additional power in Ontario. The question is whether or

not it is going to satisfy the needs that we have, because the bigger question remains, and that is the question of supply in this province. They keep talking, but they're not quite so pompous about it. They keep talking about the shutdown of the fossil fuel plants, but even they alluded, in their budget, to backtracking on that a little bit, because everybody knows they cannot fulfill those promises. They should stop dreaming and put a knife through that promise, because it is dead, and the people of province have to know that.

You know what else they have to know? They have to know, and they have a right to know, what this plan of the Liberal government is going to cost them with regard to electricity in this province, not only in the near future but in the long term. The minister tried to lay that groundwork a little bit yesterday with a lowball question from one of her colleagues with regard to other jurisdictions. We need to know. Some estimates are saying that this government's electricity plan will cost tens of billions of dollars over the next 25 years with regard to generation costs in this province, because of a silly, irresponsible promise that they knew was bad in 2003.

My position to the minister is, they have to come clean. They are talking about clean energy. It is time that they came clean with respect to energy in this province. It's great to hear an announcement, but it's just an announcement. Now they're saying that in the summer of 2007 this place will be generating electricity. If it is like every other Liberal announcement and promise, I think the people would view that skeptically. So we will wait and see whether or not this will actually be working by that time. But in the meantime, Minister, and to the Premier, it is time to level with the people.

What are the fixed-price contracts for these plants? What is the cost? How much are you going to be paying those people when they are sitting idle, and how much will you be paying for power when it's producing? The people have a right to know. You talk about transparency. That's a load of you know what—something that could be burned as biomass maybe. It's time that they came clean with the province of Ontario, which needs to know what the real cost of power is under your plan.

#### JEAN LOWERY

**Ms. Laurie Scott (Haliburton-Victoria-Brock):** I'm pleased to respond today to the statement of the Minister of Health and Long-Term Care on the passing of Jean Lowery, RN. Jean Lowery was the founding president of the ONA, the union that today represents 51,000 RNs and allied health professionals across Ontario. She spent 40 years of her life devoting her skills and energy to the care and well-being of patients and also of nurses. The ONA vision today is rooted from her: "Respected. Strong. United. Committed to members who care for people." To quote the ONA president, Linda Haslam-Stroud, Mrs. Lowery was a pioneer and champion of better working conditions for nurses: "She didn't like the lack of respect



afforded nurses in the 1950s and '60s and dedicated her professional life to effect change."

I myself am an RN who graduated in the 1980s and came into a system that had seen a lot of revision. I have nurses in my family, and they've told stories of when they first started nursing in the 1950s and 1960s. Mrs. Lowery was critical in increasing the respectability of the profession that we have today. Nurses were underpaid, undervalued, overworked and didn't receive respect. There are still some issues today in the nursing profession, but she united nurses and we are still moving forward on the changes.

As most of you know, if there are any nurses in your families, they have taken care of you at one point or another. They are certainly the front-line advocates for patients, and we need to support them.

On behalf of John Tory and the Progressive Conservative caucus, we send condolences to Mrs. Lowery's family. A true friend to nursing she was.

1410

**Ms. Shelley Martel (Nickel Belt):** New Democrats join with many others today in acknowledging the contribution that was made by Jean Lowery to the nursing profession here in Ontario. Her whole life was devoted to nursing: her skills, her talents, her expertise. She graduated as a psychiatric nurse in 1951 and then went on to receive her public health certificate from the University of Toronto in 1957, so her skills were varied and her contribution and commitment were great.

Secondly, it was her experience on the front line and the conversations she had with other nurses who were very unhappy with their work, their hours of work, their low pay and their lack of prestige that compelled her to take up the challenge to improve the lives of Ontario nurses. As a consequence, she was a founding member of ONA. When that group came together in 1973 to begin collective bargaining on behalf of nurses, she was installed at that meeting as ONA's first president. She also made many other contributions to ONA later in her life. She served on ONA's staff until her retirement in 1991. She was the director of human resources and the director of association services. She was an employment relations officer who worked directly with front-line nurses in labour relations matters.

I want to quote two of her colleagues, who said the following. Lesley Bell: "When attempts to work with management to set standards failed, she and others decided that collective bargaining was the answer. Thousands of RNs have benefited from her efforts" since that time. And this by Linda Haslam-Stroud: "Jean Lowery worked tirelessly to make things better for RNs. She didn't like the lack of respect afforded nurses in the 1950s and '60s and dedicated her professional life to effect change." That she certainly did.

On behalf of all New Democrats, we acknowledge and thank Jean Lowery for the amazing contribution she made, but we also extend our very sincere sympathy and condolences to her lifetime partner, Fred, her daughter, Marylin, and her son, Paul. She will be missed.

## GOREWAY DRIVE GENERATING STATION

**Mr. Howard Hampton (Kenora-Rainy River):** I want to respond to the Minister of Energy, and I want to respond to the things that weren't in today's announcement. That's what is most interesting about this.

You see, if you roll back the clock, Dalton McGuinty promised the people of Ontario public power. In fact, he said during the election campaign that the electricity market is dead. Now, people across Ontario might be led to believe by that statement that what was announced today is public power. If they did believe that, they would be sadly mistaken. This is private, profit-driven power, and as such it's going to be very expensive power.

In fact, that's one of the other salient things that isn't in this announcement. Nowhere is the McGuinty government prepared to talk about, even whisper about, what this is going to cost the people of Ontario on their hydro bills. Is it going to be 10-cent-a-kilowatt-hour electricity? Is it going to be 11-cent-a-kilowatt-hour electricity? The McGuinty government won't say. But I think we can discern a couple of things by looking at the history of this transaction, because when this was first announced with much fanfare by the McGuinty government back on May 30, 2005, a year ago, the McGuinty government then talked about how these were going to be two plants in Mississauga, one for 280 megawatts on Hurontario Street, and 280 megawatts on Loreland Avenue. At the time, they ventured to say that they thought the electricity would cost 7.8 cents per kilowatt hour.

Well, that would have been expensive, but you see, that deal that was announced with much fanfare by the McGuinty government fell apart. After much boasting that this was an open process and that there was a fairness commissioner, that deal fell apart. So what was announced today is in fact a hurry-up-quick fixer-upper. It doesn't have in it a reference to price, but I'm willing to bet for the consumers of Ontario that when this appears on the hydro bill, people will be looking at 10 cents or 11 cents a kilowatt hour for their electricity. That's what's going on here. People need to know what this deal is really all about.

## VISITORS

**Hon. Sandra Pupatello (Minister of Community and Social Services, minister responsible for women's issues):** On a point of order, Mr. Speaker: I'm very pleased, and I know all members of the House will join me, to introduce the president of Chrysler Canada, who has joined us in the members' gallery. We ask him to stand. Steve Landry is here today. Welcome to the House. I'm also very happy to introduce Lori Shalhoub, also with Chrysler Canada, and Doug Jure—able representatives for Chrysler Canada. We're very pleased that the headquarters, of course, is in Windsor, Ontario.

**Ms. Deborah Matthews (London North Centre):** On a point of order, Mr. Speaker: I would like all members of the House to join me in welcoming the Tuesday women's luncheon club to our chamber today. Welcome, and we're glad to have you here.

**Hon. Jim Watson (Minister of Health Promotion):** On a point of order, Mr. Speaker: I'm pleased to recognize in the gallery two individuals who lived in Ottawa, used to live in my colleague Madeleine Meilleur's riding, and are now in Stratford: Eric and Gillian Adams. Welcome.

**Mr. John Wilkinson (Perth-Middlesex):** On a point of order, Mr. Speaker: I'm happy my constituents are here, Eric and Gillian. I'm also very happy that my oldest brother, Bill, is joining us here today.

**Mr. Tim Peterson (Mississauga South):** On a point of order, Mr. Speaker: It is my privilege to introduce two people who are making a huge contribution to the remediation of landfills by allowing us to take plastic out of landfills and putting in paper bags so that we don't create leachate and so that we can take the dry and wet organic waste and turn it into compost: the inventor of the technology, Mr. George Colgan, and the financier of the technology, Mr. Lou Meehan. Will you please stand and be acknowledged.

**Hon. George Smitherman (Minister of Health and Long-Term Care):** On a point of order, Mr. Speaker: I'd like the House to pay appropriate regard to a constituent of mine who's here today: Mr. John Tory.

**Mr. Frank Klees (Oak Ridges):** On a point of order, Mr. Speaker: I would like to say hello to my mother, who's watching by television. Hi, Mom.

**The Speaker (Hon. Michael A. Brown):** I knew there was a reason for these points of order not being points of order. Thank you very much to everyone.

## DEFERRED VOTES

### 2006 ONTARIO BUDGET

**The Speaker (Hon. Michael A. Brown):** We now have a deferred vote on Mr. Tory's amendment to the budget motion.

Call in the members. This will be a five-minute bell.

*The division bells rang from 1418 to 1423.*

**The Speaker:** All those in favour of Mr. Tory's amendment to the motion, please rise one at a time.

#### Ayes

Amott, Ted  
Bisson, Gilles  
Dunlop, Garfield  
Hampton, Howard  
Hardeman, Ernie  
Horwath, Andrea  
Hudak, Tim  
Jackson, Cameron  
Klees, Frank

Kormos, Peter  
Marchese, Rosario  
Martel, Shelley  
Martiniuk, Gerry  
Miller, Norm  
Munro, Julia  
Murdoch, Bill  
O'Toole, John  
Ouellette, Jerry J.

Prue, Michael  
Runciman, Robert W.  
Scott, Laurie  
Sterling, Norman W.  
Tascona, Joseph N.  
Tory, John  
Yakabuski, John

**The Speaker:** All those opposed will please rise one at a time.

#### Nays

Arthurs, Wayne  
Balkissoon, Bas  
Bartolucci, Rick  
Bentley, Christopher  
Berardinetti, Lorenzo  
Bountrogianni, Marie  
Bradley, James J.  
Broten, Laurel C.  
Brownell, Jim  
Cansfield, Donna H.  
Caplan, David  
Chambers, Mary Anne V.  
Colle, Mike  
Cordiano, Joseph  
Craitor, Kim  
Crozier, Bruce  
Delaney, Bob  
Dhillon, Vic  
Di Cocco, Caroline  
Dombrowsky, Leona  
Duguid, Brad  
Duncan, Dwight

Flynn, Kevin Daniel  
Fonseca, Peter  
Gerretsen, John  
Gravelle, Michael  
Hoy, Pat  
Jeffrey, Linda  
Kennedy, Gerard  
Kular, Kuldip  
Kwinter, Monte  
Lalonde, Jean-Marc  
Leal, Jeff  
Levac, Dave  
Marsales, Judy  
Matthews, Deborah  
Mauro, Bill  
McMeekin, Ted  
McNeely, Phil  
Meilleur, Madeleine  
Milloy, John  
Mossop, Jennifer F.  
Oraziotti, David  
Parsons, Ernie

Patten, Richard  
Peters, Steve  
Peterson, Tim  
Phillips, Gerry  
Pupatello, Sandra  
Qaadri, Shafiq  
Racco, Mario G.  
Ramal, Khalil  
Ramsay, David  
Rinaldi, Lou  
Ruprecht, Tony  
Sandals, Liz  
Sergio, Mario  
Smith, Monique  
Smitherman, George  
Takhar, Harinder S.  
Van Bommel, Maria  
Watson, Jim  
Wilkinson, John  
Wong, Tony C.  
Wynne, Kathleen O.  
Zimmer, David

**The Clerk of the Assembly (Mr. Claude L. DesRosiers):** The ayes are 25; the nays are 66.

**The Speaker:** I declare the motion lost.

We now come to the motion of Mr. Duncan, that this House approves in general the budgetary policy of the government. Is it the pleasure of the House that the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

*The division bells rang from 1427 to 1432.*

**The Speaker:** Those in favour of the motion by Mr. Duncan will please rise one at a time and be recorded by the Clerk.

#### Ayes

Arthurs, Wayne  
Balkissoon, Bas  
Bartolucci, Rick  
Bentley, Christopher  
Berardinetti, Lorenzo  
Bountrogianni, Marie  
Bradley, James J.  
Broten, Laurel C.  
Brownell, Jim  
Cansfield, Donna H.  
Caplan, David  
Chambers, Mary Anne V.  
Colle, Mike  
Cordiano, Joseph  
Craitor, Kim  
Crozier, Bruce  
Delaney, Bob  
Dhillon, Vic  
Di Cocco, Caroline  
Dombrowsky, Leona  
Duguid, Brad  
Duncan, Dwight  
Flynn, Kevin Daniel

Fonseca, Peter  
Gerretsen, John  
Gravelle, Michael  
Hoy, Pat  
Jeffrey, Linda  
Kennedy, Gerard  
Kular, Kuldip  
Kwinter, Monte  
Lalonde, Jean-Marc  
Leal, Jeff  
Levac, Dave  
Marsales, Judy  
Matthews, Deborah  
Mauro, Bill  
McGuinty, Dalton  
McMeekin, Ted  
McNeely, Phil  
Meilleur, Madeleine  
Milloy, John  
Mossop, Jennifer F.  
Oraziotti, David  
Parsons, Ernie  
Patten, Richard

Peters, Steve  
Peterson, Tim  
Phillips, Gerry  
Pupatello, Sandra  
Qaadri, Shafiq  
Racco, Mario G.  
Ramal, Khalil  
Ramsay, David  
Rinaldi, Lou  
Ruprecht, Tony  
Sandals, Liz  
Sergio, Mario  
Smith, Monique  
Smitherman, George  
Takhar, Harinder S.  
Van Bommel, Maria  
Watson, Jim  
Wilkinson, John  
Wong, Tony C.  
Wynne, Kathleen O.  
Zimmer, David

**The Speaker:** All those opposed will please rise one at a time and be recognized by the Clerk.



**Nays**

Amott, Ted  
Bisson, Gilles  
Dunlop, Garfield  
Hampton, Howard  
Hardeman, Ernie  
Horwath, Andrea  
Hudak, Tim  
Jackson, Cameron  
Klees, Frank

Kormos, Peter  
Marchese, Rosario  
Martel, Shelley  
Martiniuk, Gerry  
Miller, Norm  
Munro, Julia  
Murdoch, Bill  
O'Toole, John  
Ouellette, Jerry J.

Prue, Michael  
Runciman, Robert W.  
Scott, Laurie  
Sterling, Norman W.  
Tascona, Joseph N.  
Tory, John  
Yakabuski, John

**The Clerk of the Assembly (Mr. Claude L. DesRosiers):** The ayes are 67; the nays are 25.

**The Speaker:** I declare the motion carried.

It is therefore resolved that the House approves in general the budgetary policy of the government.

**ORAL QUESTIONS****HYDRO ONE**

**Mr. John Tory (Leader of the Opposition):** My question is to the Premier. Could you please explain to us here and to the public what the criteria and the evaluation measures were that resulted in a bonus payment to the chief executive officer of Hydro One of roughly \$500,000 for this year? Could you explain the criteria?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** I'm going to refer this question to the Minister of Energy.

**Hon. Donna H. Cansfield (Minister of Energy):** I thank the member for his question. As I indicated yesterday in the House, I think that it's fair. I've written to the various agencies to ask for a meeting.

As you know, executive salaries are set by the boards of all the agencies. I've asked for a meeting to sit down with them for their explanation, and I'm looking forward to doing that very shortly.

**Mr. Tory:** I say to the Premier that the government is the single shareholder and the owner of Hydro One, and having a meeting or writing a letter is not really necessary. All you need to do is hit the speed-dial button and ask the simple question, "What were the criteria on which this bonus was based?" It wouldn't take more than 10 minutes.

This is about simple accountability for the taxpayers of Ontario. All we want to know, and all the taxpayers are entitled to know, is the basis upon which the bonus was calculated and paid. It's written down. There's a written record of it right now—there should be.

When you award someone a bonus of this magnitude, it should be easily explained. I'm asking you, when this is in effect public money, will the Premier instruct the minister to come to this House tomorrow with the explanation as to the basis upon which that bonus was paid on behalf of the hydro ratepayers of Ontario? It shouldn't take longer than that. Will you do it?

**Hon. Mrs. Cansfield:** I thank the member for the question. I'm sure that the member recognizes that in fact

it was his party who actually set up the structure under which the boards do operate. They are independent, and it is their executive which determines their rates of compensation and the rates of bonuses.

What I have asked for is a meeting for an explanation, and that's fair. I've asked that from all of the agencies. I'm more than happy; I'm really quite prepared. As the member of the opposition has indicated, and I'll quote him, "You do have to pay the kind of money they would get somewhere else or you won't keep them," when referring to executives' salaries meeting the demands of the marketplace.

I agree with what he's saying. What I am also saying is that I'm quite prepared to sit down with the chair and the board, who have the responsibility for that determination, to understand how in fact they did make that determination in the first place.

**The Speaker (Hon. Michael A. Brown):** Final supplementary.

**Mr. Tory:** The quote of mine that you read is very interesting and it actually confirms what I was not asking you about, which is how much he was paid. What I was asking you about were the criteria pursuant to which he was paid. It's a very simple question. In fact, the payment in question was made months ago, pursuant to criteria that were probably established a year ago.

All I'm asking you is very simply—you don't need to have a meeting; you don't need to send a letter. You just need to ask them to send over to you by fax or by e-mail today the criteria pursuant to which the bonus was paid. It's a very simple request.

The taxpayers are the owners of this corporation. The hydro ratepayers are the people who are paying the money to the company that is paying its executives whatever they get paid. I am simply asking you to make public to those people—I think they're entitled to know now—on what basis the bonus was calculated and on what basis it was paid. I'm asking you to simply stand up and say, "Tomorrow we will be here with that information." Will you be here with that information tomorrow, stop dragging your feet and do it?

**Hon. Mrs. Cansfield:** I would just like to make a correction: It's actually the ratepayer, not the taxpayer, in terms of the dollars around electricity.

I repeat to the member that I have written to the different agencies. The boards have the responsibility of determining executive salaries and compensation. I think it's reasonable to ask for an explanation. I have asked to sit down with them for that explanation for all the agencies. I would, however, remind the member opposite that it's interesting to note that when they were at Hydro, I think it was Mr. Gourley who was paid \$4.6 million. Mr. Harris himself received almost \$19,000. Mr. Rhodes received \$1 billion. Mr. Long received—

*Interjections.*

**Hon. Mrs. Cansfield:** Oh, you think it's great about that \$1 billion—\$1 million, sorry.

*Interjections.*

**The Speaker:** Order. Stop the clock.  
New question.

1440

**Mr. Tory:** My question is for the Premier. The minister is like Dr. No over there, with a million/billion dollars, but it's not funny. You actually helped me because you introduced the subject I want to introduce here, which is saying one thing and doing another.

My question to the Premier is this: When you were in opposition, you had a lot to say about a lot of subjects, and a lot of those things you said then seemed to mean very little when you got over to the government benches. When you were in opposition, you were demanding answers about people at Hydro One and their salaries, and you were bouncing off the walls. You once told the Premier of the day, "Your job was to protect hydro ratepayers. You had an option. Why did you roll over for the board? Why did you not stand up for ratepayers?"

All I'm asking today is this: Could you just explain to us the basis upon which this gentleman received a bonus of \$500,000? You know it. It's written down. It's been part of the record for some time and the bonus has been paid. Why do we need to have meetings and correspondence and all kinds of things like that? Just tell us the information so the taxpayers and the ratepayers will know. Will you do it?

**Hon. Mr. McGuinty:** I'll see if I can help the leader of the official opposition further in this regard.

I'm surprised they're not aware of some of the contractual matters related to Mr. Parkinson's contract since they were the first government to award a contract to Mr. Parkinson. We have essentially renewed that very same contract. So if Mr. Tory is looking for the source of the financial relationship we have between Hydro One and the CEO, he need look no further than his own party.

**Mr. Tory:** Premier, I don't know whether to agree or disagree, because you haven't provided us with the basis upon which the bonus was calculated. All we're asking for—

*Interjections.*

**The Speaker:** Order. I need to be able to hear the Leader of the Opposition.

The Leader of the Opposition.

**Mr. Tory:** All we're asking for, very simply, is that regardless of who authored the contract, you tell us the criteria set by the board of directors pursuant to which this man was paid a half-million-dollar bonus. It's a very simple question. I think it is something that, when you were in opposition, you would have most certainly felt was something the public was entitled to know. In fact, you said back then, "Can you tell me once again, Premier, why it is that when push comes to shove, you're on the side of the board of directors and you didn't stand up for ratepayers?" If you want to stand up for the ratepayers and actually, for a change, do what you said in opposition when you're in government, then simply stand in your place and tell us the basis upon which this man received a \$500,000 bonus. It's a very simple question. Will you do it?

**Hon. Mr. McGuinty:** Again, that was a provision that was inserted, presumably deliberately, by Mr. Tory's

government in the past. I can say with some pride that we are not paying the CEO of Hydro One over \$2.4 million, which had been paid by the Conservative government to one Eleanor Clitheroe. I can also say with some degree of pride that we are shining the sunlight on these matters, which were hidden from view by the previous government.

Let me say this again so that Mr. Tory completely understands this: The contract in place is the one that he put in place. Secondly, it is 30% less than the one they awarded to Eleanor Clitheroe. Thirdly, we have brought sun shine on these matters so that for the first time the people of Ontario have access to this information.

**Mr. Tory:** If the Premier is so determined to let the sunshine in, then I don't know why you don't answer my question, which I'm now asking for the sixth time. You said it's a contract that I put in place. Well, I hardly put it in place. But having said that, you are engaging—

*Interjections.*

**The Speaker:** Order. Stop the clock.

The Leader of the Opposition.

**Mr. Tory:** You have a chance to redeem yourself here, because whether it's autistic children, balanced budgets, not raising taxes, hydro rate caps or hydro compensation issues, your pattern has been to say one thing in opposition and do another in government. You have a chance right now to tell us: Do you have any standards in respect of public sector bonuses? Are you prepared to share with us the criteria pursuant to which—and I don't mean in a month or after meetings or correspondence. Will you share with us tomorrow—it's a reasonable request—the basis upon which this gentleman was paid the half-million-dollar bonus, so the hydro ratepayers whom you pledged to protect will be able to see what happened? Will you do it?

**Hon. Mr. McGuinty:** The minister made it clear both yesterday and again today—and I think she's done this on at least three separate occasions now—that she's going to look into the matter. I think we should give her time to acquire that information.

Again, I think it is not entirely irrelevant that the contract in place now between Hydro One and its CEO was essentially the contract that was put in place by the previous government. Mr. Tory says he's distancing himself from the previous government in this regard. We wonder in how many other places he's going to be distancing himself from the record of those he's sitting among here today.

As well, I would say that we take pride in the fact that we are shining sunlight for the first time on these kinds of issues, so that the people of Ontario can gain a good understanding for the very first time of these very kinds of issues. That was the kind of thing that the previous government was not particularly partial to. We think it's right and we think it's legitimate. We think it's high time it was done, and that's why we did it.

**The Speaker:** New question. The leader of the third party.

**Mr. Howard Hampton (Kenora-Rainy River):** A question for the Premier: When exactly did the McGuinty



government decide to order the review of Hydro executive salaries that was announced yesterday? When are the review meetings taking place? Who will be there? When can hydro ratepayers expect to see the outrageous Hydro executive pay packages reduced?

**Hon. Mr. McGuinty:** The Minister of Energy.

**Hon. Mrs. Cansfield:** In fact, I said that compensation is the responsibility of the board and that I thought it was reasonable to have a meeting with them, to have an understanding of how they had come to their determination. I said that yesterday; I said it this morning. I'm quite prepared to meet with all of the agencies for those explanations. I think that's fair and reasonable. I've indicated that I will do that, and I expect to have those meetings take place very shortly.

**Mr. Hampton:** It's puzzling, because the McGuinty government waited until yesterday to launch this review, but the McGuinty government has known for over a year about the outrageous Hydro executive pay packages. Here's an article from the Toronto Sun, March 2, 2005, where it says, "Ontario Energy Minister Dwight Duncan said he supports the 35% raise given to the CEO of ... Hydro One." My question to the Premier is, since you've known about these executive pay increases, why did you sit on your hands for more than a year, while hydro ratepayers of the province were fleeced under your government?

1450

**Hon. Mrs. Cansfield:** First of all, I'd like to correct the record. Mr. Rhodes only made just over \$1 million dollars.

**Mr. Gilles Bisson (Timmins-James Bay):** That's all?

**Hon. Mrs. Cansfield:** That's all.

As I had indicated, the executive salaries are the responsibility of the respective boards. I've written to each of the boards to ask for an explanation of how they came to those determinations. That's a reasonable and fair question to ask. I've written the letters and I'm going to sit down with them very shortly to ask how they made the determination. I have every intention of doing that.

**Mr. Hampton:** It remains that the former Minister of Energy knew that this was happening a year ago. In fact, this is how outrageous the Hydro executive pay packages are under the McGuinty government: Hydro Québec is a very large utility. It has assets of \$57 billion. Their chief executive officer is paid in the \$500,000 range. Hydro One has assets of only \$11 billion, but under the McGuinty government, Mr. Parkinson gets paid \$1.56 million. In fact, it's even more outrageous than that. The three other large utilities in Canada—Hydro Québec, Manitoba Hydro and BC Hydro—pay their three executive officers, combined, less than the McGuinty government pays Tom Parkinson.

My question for the Premier is: Under the McGuinty government, why are working families paying such outrageous salaries to Tom Parkinson and other Hydro executives?

**Hon. Mrs. Cansfield:** I'll repeat this again, maybe slowly: I have asked for a meeting with the chair and the

executives, who have the responsibility for all of these boards, for an explanation of how they made the determinations. I will sit down with them. I will find out how. Maybe we could ask the member the same question as to how he determined Mr. Strong's compensation or Ms. Clitheroe's compensation. I'm prepared to sit down and ask for that explanation from the people who in fact have the responsibility for that determination. I've said that I will do it. I will do it, and I will do it with all of the agencies.

**The Speaker:** New question.

**Mr. Hampton:** To the Premier: It seems to me that there has to be some accountability on the part of your government. The real problem, the bigger problem, is that your government, the McGuinty government, has set up a convoluted, wasteful, bureaucratic electricity system. It's a hydro hydra, a four-headed electricity monster, that's driving up electricity rates, devouring people's wallets and resulting in tens of thousands of lost industrial jobs. You pay a Hydro One executive \$1.56 million. You say you pay the OPG top-salaried official \$866,000. You pay the Independent Electricity System Operator chief executive \$728,000. You pay your former fundraiser, Jan Carr, at the Ontario Power Authority, \$637,000.

Under the McGuinty government, Premier, why are working families being gouged? Why are working families paying these bloated executive salaries at the hydro electricity monsters that you've created?

**Hon. Mr. McGuinty:** To the Minister of Energy.

**Hon. Mrs. Cansfield:** I thank the member for the question, but I might like to ask the member—in fact, the Ontario Energy Board, the regulator, has the responsibility for the scrutiny of the Independent Electricity System Operator and the Ontario Power Authority, both boards that have been mentioned. I was curious as to whether or not during that public scrutiny, the member actually had gone to any of those meetings to articulate the position he's now articulating in the House. It's an open and transparent process. He has that opportunity.

I will repeat that I'm quite prepared to sit down with those executives, who have the final determination, as to how they reached those determinations, and get an explanation. I think that's very reasonable to do. I've indicated I'm going to do it. I'm quite prepared to do it, and I will do it very shortly.

**Mr. Hampton:** My question is really to the Premier, because it's about: Does the McGuinty government have even an elementary understanding of accountability? Under the McGuinty government, being a hydro electricity executive is like winning the all-time lottery. The 10 top-paid provincial Hydro executives in Canada are all in Ontario, under the McGuinty government: two from Hydro One, one from the Independent Electricity System Operator, one from the Ontario Power Authority and six from Ontario Power Generation.

Premier, I thought it was your job to protect hydro ratepayers, to protect those working families who are in fact paying the bill. When did the priority of the



McGuinty government become paying Hydro executives the top 10 salaries in Canada and allowing ratepayers to be gouged?

**Hon. Mrs. Cansfield:** As a matter of fact, over the last number of years, a good 10 years, generation in this province fell by 6%, whereas our need grew by 8%. So the fact of the matter is that we have put new generation onside. We require the people and the expertise with which to do it. You do pay for quality; it is synonymous, often, with the price that you pay for someone's expertise. So I don't have any difficulty in people determining the value of a skill set.

I have indicated that I am quite prepared to sit down with the folks who make these determinations and listen to their rationale as to how they make those determinations. But we have put more generation in this province than they had in many years. In fact, it had been neglected for so many years. You do need to attract good people—

**The Speaker:** Thank you. Final supplementary.

**Mr. Hampton:** No, Minister. You've driven up the electricity bill for all kinds of people and you've killed tens of thousands of good industrial jobs.

But I want to go back to the Premier, because this is about accountability. One self-described hydro expert said that government reviews won't do. Talking about Eleanor Clitheroe's bloated salary, this is what this self-described expert said: "This is not a matter that needs to be sent out to review. This is a matter that requires you to say, 'Mea culpa. This will never, ever happen again. It is wrong, it is entirely inappropriate and I will do everything in my power to make sure this never, ever happens again.'" Who said that? Dalton McGuinty, just three years ago.

My question to the Premier is this: Are you going to follow your own words? Are you going to reduce these salaries? Are you going to work on behalf of the ratepayers and the working families, or were those words that you said just meaningless words, like so many other words that you say?

**Hon. Mrs. Cansfield:** I would like to remind the member of the third party that in fact it was Mr. Bob Rae, the former Premier and NDP member, who is the chair of the compensation committee that approved Mr. Parkinson's salary and has the responsibility to do so.

Let me quote what he said: "The design of the program facilitates the attraction, motivation and retention of executives, critical for Hydro One's current and long-term success." I am quite prepared to sit down and have an explanation of their rationale for their decision. But it is the decision of the board of directors and the chair of that board in determining compensation packages. I'm quite happy to have a fair explanation of that. I have asked for that meeting in writing, and it will take place very shortly.

#### ONTARIO COLLEGE OF TEACHERS.

**Mr. Frank Klees (Oak Ridges):** My question is to the Minister of Education. I'd like to follow along on the

theme of accountability. As the minister, you're responsible to ensure that the public interest is served in the administration of education. Can you tell the House, then, why you insist through Bill 78 to hand over control of the governing council of the Ontario College of Teachers to the very same unions whose mandate it is to defend its members against public charges? Why have you done that?

**Hon. Gerard Kennedy (Minister of Education):** I think, for those who are watching, it certainly is a reminder in this House of why we needed a change in government. We needed a change from a government that would take every opportunity to attack and presume the worst of other people. If you want to be elected to government, you have to be able to work with the people who are in government. What it means is that the students out there have benefited because there is an atmosphere of co-operation.

1500

The college of teachers has one purpose: to look after the public interest. Under the previous government that the member opposite was a part of, there was a fight going on in the college of teachers. The reforms we're bringing in will make it a neutral body that looks after the public interest. In fact, it will prohibit anyone who serves full-time, either for the Ministry of Education or for a teacher federation, from serving on the college of teachers, whereas there were eight, 10 and 15 members under this member opposite's government.

In fact, we are returning the college of teachers to its original purpose: a professional body that looks after the public interest in teaching, and like other improvements, students will be better off because of—

**The Speaker (Hon. Michael A. Brown):** Thank you. Supplementary?

**Mr. Klees:** The minister needs to be reminded that it was the Royal Commission on Learning that recommended that this college be independent of those unions. I want to point out to the minister—I'm going to ask a page to take this letter over to the minister. Page, please.

I want the minister to see this letter, which comes to him from a member of his cabinet. In that letter it says the following: "No professional college can act in the public interest when its governing council is controlled by one union whose own mandate it is to defend its members against public charges. This issue must be addressed, as a council controlled by the Ontario Teachers' Federation will further increase the widespread perception that the college is controlled by the teachers' unions and does not adequately protect or represent the public interest."

That is a letter to you, sir, sent by one of your cabinet colleagues, Donna Cansfield. Why did you not take her advice? I have spoken with many stakeholders in education who disagree with you. You have sold out the college of teachers, whose responsibility it is to look after the public interest. Why did you do that?

**Hon. Mr. Kennedy:** We need to go no further to understand the credibility of the member opposite, when



he's citing a letter from December 2004 talking about the college that the member opposite had a hand in designing.

What our new legislation—which I hope, when its explanation is clear, will get the member opposite's support, as it deserves—will in fact do is prohibit any members of the college of teachers being sitting members representing federations or school boards or the Ministry of Education, for the first time. In fact, the college constituted by the member opposite actually had 12 members on it who were full-time representatives of teachers' unions. That's what you put together. We think the public interest means that it should be classroom teachers who are being regulated by the college, who are the profession that sits in judgment of what should be done in the public interest.

We believe in teachers. We believe in public education. Just like the other reforms that we've brought, this will work in the interests of students. And just like the other reforms, it will be vastly superior to the approach of the previous government, where we had eight and, I guess, 10 lost years.

#### EDUCATION FUNDING

**Mr. Rosario Marchese (Trinity–Spadina):** A question to the Minister of Education: Your government claims to have fixed the problems in Ontario's education funding formula. Can you explain why the Ottawa-Carleton District School Board has resorted to asking for donations for music, art, outdoor education and literacy and numeracy projects?

**Hon. Gerard Kennedy (Minister of Education):** I'm very pleased to report to the member opposite that we have improved education funding in the province of Ontario such that the per capita funding has increased almost 20% under this government. What it means is that this year we have 600 specialist teachers bringing arts education back into the schools across the province. We have initiatives, not just by our ministry but by the Ministry of Culture and by my colleague the parliamentary assistant to the Minister of Culture, bringing in new programs, helping to make sure that the arts have come back.

We have provided resources on a range of programs that are enriching education. We say that every student should have access to the arts and education. We have daily physical activity and have expanded physical education back in our schools for the first time in years. It didn't happen under the previous government or the one before that.

So what I would say is that we believe that the essential education, a high level—

**The Speaker (Hon. Michael A. Brown):** Thank you. Supplementary?

**Mr. Marchese:** I think, Minister, that instead of focusing on the top job in Ottawa, you should focus on the students in Ottawa, and I don't think you're doing that. To quote an Ottawa trustee, "It is not our intent to replace provincial funding; however, we just cannot wait

any longer while our children go without." School boards are robbing regularly from one program to pay for another, ESL is one example, French as a second language, special ed. They are robbing from one area to pay for another. School boards are forced to fundraise to pay for education essentials, and it's not just happening in Ottawa. London, Kingston and Halton are doing the same.

Minister, three years ago you promised a standing committee on education funding. Are you going to keep that commitment to students and parents, or was it just another empty promise you made on the climb to the top?

**Hon. Mr. Kennedy:** I'm glad to see that the member again has a question in this respect, but I would say to him very seriously that the parents and students of Ottawa-Carleton are very well served by an extremely enhanced education system. More than half of them are in smaller sized classes, capped at 20. They are getting individual attention that they never had before. We have been able to provide enhanced literacy and numeracy, as I said. In two years, there's a 15% increase in the attainment of reading, writing and mathematics by students right across the province, and the ones with the biggest challenges are the ones with the biggest increases in improvement. For the first time in 25 years, we have a reduction in the dropout rate. Our student success program is offering enhanced, customized education to individual students across the province.

Most trustees don't share your pessimism or the pessimism of somebody you selectively quoted. The chair of the Ottawa board says that what they are raising money for is enhancements. Distinct from the member opposite, who sees government doing everything, we want to work in partnership. A basic, excellent education—

**The Speaker:** Thank you. New question.

#### AGRICULTURE FUNDING

**Mr. John Wilkinson (Perth–Middlesex):** My question is for the Minister of Agriculture, Food and Rural Affairs. As you know, Minister, the federal government will be delivering its first throne speech later this afternoon, and my farmers expect good news from the federal government. Why? Because during the recent federal election, Stephen Harper promised an extra \$500 million each year for agriculture. In addition, 16 Conservative MPs signed the commitment-to-agriculture card during the recent election, including the new federal finance minister, Jim Flaherty. This commitment included an immediate investment in farmers after the election and sufficient funding for the following two years, until the next agricultural policy framework can be designed and implemented in 2008.

Minister, on behalf of my farmers, how important is it that today's federal throne speech represent the beginning of an effective partnership with Ontario for a long-term, viable and economically sustainable agricultural framework?



**Hon. Leona Dombrowsky (Minister of Agriculture, Food and Rural Affairs):** The member from Perth-Middlesex has identified a very, very important issue for the people of Canada, for the farmers of Canada, and certainly for the farmers of Ontario.

We are going to be looking very intently at what is contained in the throne speech, because our government has made a commitment to the farmers of Ontario. We have made it very clear that we agree with them when they say they need a multi-year partnership with the federal government. We believe that too.

We would encourage members of the opposition—I say to the Leader of the Opposition, you hit the speed-dial button. Hit the speed-dial button for Mr. Flaherty and for the Prime Minister of Canada and say that farmers in Ontario are in desperate circumstances and they need a strategy now. That's what we're looking for in the federal throne speech. We would appreciate your help and your support for farmers in Ontario by—

**The Speaker (Hon. Michael A. Brown):** Thank you. Supplementary?

1510

**Mr. Wilkinson:** Minister, I couldn't agree more. As my farmers know, the provincial treasury is no match for the US Treasury and the US farm bill all by itself. We need our partner in Ottawa, because only they have the money for a stable, long-term plan that meets the needs of Ontario farmers working in conjunction with our government.

On Friday, March 31, I met with my local farmers at our annual MP-MPP briefing, organized by the Perth federation of agriculture. During the meeting, my farmers conveyed yet again their appreciation for the \$125 million our government announced in financial assistance prior to the spring planting. They said, "We thank the minister for an initial investment to this problem." However, our government and my farm leaders recognize that ad hoc financial assistance is not the answer to the challenges facing our producers.

Minister, should today's federal throne speech not deliver on the Conservative government's election promises, my farmers need to know that our government will continue to work with the federal government and our provincial and territorial counterparts on a new agricultural—

**The Speaker:** The question has been asked.

**Hon. Leona Dombrowsky:** I'm always happy to get a question from the honourable member, who works so very hard on behalf of the farmers in his riding—he truly does—and we appreciate that.

I think it's interesting that he points to the investment that our government made—\$125 million—the announcement that was made before the budget. The Leader of the Opposition called us spendaholics for doing that, but I believe that it was a very good investment for the agricultural community and one that was absolutely necessary.

With respect to working toward the new agriculture policy framework, I can commit to the federal minister

and to my colleague ministers from across Canada that I think we have learned very well where this framework has worked well: investments in research and innovation. We recognize that we need to do a better job at business risk management and income support. Our government is absolutely committed. We will not tire in our efforts to support agriculture and farmers in Ontario. That is a commitment—

**The Speaker:** Thank you. New question.

#### YOUTH EMPLOYMENT

**Mr. Cameron Jackson (Burlington):** I have a question for the Minister of Training, Colleges and Universities. Last Thursday, this House learned that your budget had actually cut or reduced the financial aid for the Ontario summer jobs program; that included a cut to the Junior Ranger program. But what concerned me at the time when I responded was that most of the programs that were contained in these posters that you sent to us expired that same weekend. The Ontario-Quebec student job exchange was cut off February 28; the summer company program is cut off this weekend. As the minister responsible, have you investigated why these materials that are so important for students in Ontario were sent out so late, when most university and college students will be leaving their campuses within the next week or so?

**Hon. Christopher Bentley (Minister of Training, Colleges and Universities):** I thank the member for the opportunity to correct the inaccurate information that he was presenting to the House when he made his statement. The fact of the matter is that the Ministry of Training, Colleges and Universities reports on a number of different programs that comprise the summer job strategy. All of the programs had been advertised, a number of them announced, long before I stood up in the House to make the announcement. For example, the Ontario-Quebec exchange program that the member spoke about, which is available only to university students, had over 200 applicants when I stood up in the House to speak about it—over 200 applicants for the very program that would have 50 successful people who were going to be accommodated. That was just one of a number.

So the member is not correct. We didn't reduce the amount of funding. In fact, there is always a difference between the estimates and the actual. And all of these programs were being advertised—

**The Speaker (Hon. Michael A. Brown):** Thank you. Supplementary.

**Mr. Jackson:** I have copies of last year's press release and this year's press release—they came from your office—and the amount has been reduced; the number of students served has been reduced. My concern is that after we left the House last Thursday, we went to our offices and we got this package from Promotional Products Fulfillment and Distribution Ltd. By Friday, I got this package from Purolator filled with posters for the programs that have expired, at a cost of \$191. When I called the promotional company, I asked them, "Where



are the French versions, and where could I get them?" They said, "Don't worry. By next Wednesday," which is tomorrow, "we will have sent all this material to colleges and universities across Ontario."

Minister, I'm simply asking you, will you get to the bottom of who screwed up in your ministry and didn't get this material out in a timely fashion? University students are not going to be able to get full access to these programs, which, frankly, according to your press releases, you have reduced the amount to. Will you undertake a review and find out what happened, find out why this company you're paying \$305,000 a year to was late in getting this material out across Ontario?

**Hon. Mr. Bentley:** The member is right about one thing: I will certainly investigate the suggestions he makes with respect to the program itself, because what he was saying last week is simply inaccurate. To repeat, the Ontario-Quebec program he made great hay of last week has been advertised for months. In fact, it was in the late fall that it was advertised on campuses throughout Ontario. There were, when I stood up, I learned, more than 200 applicants for a program that has 45 successful participants. When he reads from press releases year on year, as he would understand, there's a difference between the estimates and the actuals. What's interesting is that he might have forgotten that when he was in government, the program was advertised one year in May; the summer jobs program was advertised once in June. The fact of the matter is that a lot of the programs have start dates at the beginning of April. The fact of the matter is that they are being well advertised. My colleague actually announced his—

**The Speaker:** Thank you. New question.

#### POLITICAL CONTRIBUTIONS

**Mr. Michael Prue (Beaches-East York):** My question is to the Premier. Tonight you will be attending yet another \$2,000-a-table fundraiser, this time in Vaughan, Ontario. You promised you would tighten the laws that allow corporate donors to buy access, but dinner after dinner comes and goes, and all we hear is more promises from you that one day you will outlaw this practice. Can you tell us when, if ever, new laws will be in place to stop precisely what you are going to do tonight?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** The minister responsible for democratic renewal.

**Hon. Marie Bountrogianni (Minister of Intergovernmental Affairs, minister responsible for democratic renewal):** I'd like to thank the honourable member for the question. He will remember that just a few months ago we passed Bill 214. For the very first time, we will make transparent contributions of \$100 or more to riding associations: within 15 days to Elections Ontario and within another 15 to the websites of each of the parties. So you'll know very shortly who was there tonight and how much they spent—all transparent. Having said that, we also said that we would look at political finance reform, and in a supplementary I'll talk more about that.

**Mr. Prue:** Of course, the minister talked about riding associations, not about your party, because it is, of course, exempt. Over the last three years, your democratic renewal ministry has spent more than \$15 million, but you haven't managed to put a single word to legislation. Instead, you're holding yet another high-priced fundraiser where corporate donors and well-heeled lobbyists will get to buy access to you, to the Premier, to your cabinet, to your caucus. Meanwhile, ordinary Ontarians, like the parents who lose nearly \$1,500 a year to your child welfare clawback, are left in the cold. Will new laws be in place before the next election, or is this just another broken promise you intend to keep?

**Hon. Mrs. Bountrogianni:** I'm very proud of our record on democratic renewal and very proud of the former minister for democratic renewal, the Attorney General, who began this road with Bill 213 and then Bill 214. Not only will we be looking at political finance reform, and more on that will be shared in the near future, but we also just announced last week the Citizens' Assembly on Electoral Reform. This is just part of the whole package of democratic renewal; also modernizing elections. And I just want to remind the member once again that within 30 days, he will know exactly who was there tonight and how much they spent.

#### SCHOOL BOARDS

**Mr. Bob Delaney (Mississauga West):** My question is to the Minister of Education. During the past few months, I've had meetings and discussions with the Dufferin-Peel Catholic District School Board. These discussions concern the board's ability to balance its budget in the previous fiscal year and beyond. Management members from the Dufferin-Peel board have met and spoken with me and with the other members of the Peel caucus to discuss their assertions of underfunding of the Dufferin-Peel Catholic District School Board. The board claimed they would have to submit revised estimates showing a deficit as high as \$15 million. This concerned me, as our government has increased the funding to school boards by historic amounts, including to this one, since we've been in office.

Minister, you appointed an investigator in this matter to see where the discrepancy lies. Could you please tell the House what the status of the report is?

1520

**Hon. Gerard Kennedy (Minister of Education):** I am happy to report to the House that we today have received a report from independent investigators, actually two: a lead investigator and an associate investigator. Essentially, their findings are that the Dufferin-Peel board has a much smaller deficit than was originally reported, that the budget can be balanced and students can be protected. In fact, they have outlined a number of ways in which that can be done to both balance the budget and address significant financial management issues.

With the new information that's in the report, we're very hopeful that the Dufferin-Peel board, which the



report commends for offering good quality education services, will actually take it upon themselves and be able to do that, using the new information that comes in the investigators' report, balance the budget and correct some of the financial practices that didn't allow them to have as close a control as they might wish to have over their finances.

**Mr. Delaney:** Knowing that the report will be made public this afternoon is news that our community will welcome. We in Peel region are relieved to know that the investigators' report has been received and that at last we're going to have a third-party analysis of our situation in the Dufferin-Peel board.

Now that the report has been received and will be made public this afternoon, what are the next steps to follow up on this report, and finally, how will our future education priorities benefit the students of the Dufferin-Peel Catholic District School Board?

**Hon. Mr. Kennedy:** I think it's clear from the investigators' report that there are both the resources and programs taking place to offer an excellent education to all the students in Dufferin-Peel. They will get the benefits of lower class sizes, they will have a rigorous student success program to lower the dropout rate and they will have all of the other enhancements as well.

The original concern was a deficit that could be \$15 million. The report says that the maximum it could be is \$11 million and it could be as low as \$5 million. It could, as well, be addressed with areas like overspending in administration. There's about \$4 million extra being spent in that area, which we hope the board will be able to look at and find ways to meet some of the investigators' expectations. But we do not intend to dictate to the board. We do believe that this is information the board did not have previously. We think it's important that they be given a chance and this report be given a chance to be useful to them in resolving this issue.

After some long-standing back and forth, we have an independent report. It tells the parents, the staff and the board what some good options are to have the highest-quality education and still ensure that every dollar that we put into education counts.

#### COST OF ELECTRICAL POWER

**Mr. John Yakabuski (Renfrew-Nipissing-Pembroke):** For the Minister of Energy: Earlier today the Premier was telling us how proud he was that your government has shone the light of day on certain issues with regard to crown corporations and bragged about your transparency. Let's hear some transparency and let's see it.

You announced today the power plants in Brampton. A couple of weeks ago you talked about paying up to 42 cents a kilowatt hour for renewable power. The people of Ontario want to know the facts. What is going to be the true cost—don't obscure the facts here—of power at this new power plant?

**Hon. Donna H. Cansfield (Minister of Energy):** I thank the member for the question. The Ontario Power

Authority is completing the final details, and when those details are available, I will make them available to the member.

A number of questions have been raised this afternoon, especially around the issue of Hydro One. I think it's really important that the member and the opposition members should recognize that Hydro One was actually incorporated under Ontario's Business Corporations Act, which was done so they could sell Hydro One. In essence, when they did that, they actually made Tom Parkinson not an employee of the government but an employee of that corporation, a very fine distinction so that they in fact as the shareholder could sell that plan.

**Mr. Yakabuski:** I'm not sure what that plan has to do with Hydro One. But look, the people want to know. You can't simply go out there and pay whatever the seller wants because you people have put yourselves in a box with regard to supply in this province. You've got to stop running around in circles. You've got to face the facts. Your plans aren't working. It is important that the people know. What is electricity going to cost them down the road in this province? When we're trying to compete with people across North America, what is electricity going to cost under your plan? We want sunshine on the contracts at each one of these plants. Minister, will you commit to that now?

**Hon. Mrs. Cansfield:** I thank the member for the question. He has a very interesting definition of "box." If you'd like hear about a box, how about the need for 25,000 megawatts of new supply by 2025 because you neglected the supply? How about new transmission because you neglected the transmission? How about the need to redo Conawapa because it was cancelled? How about the need to do conservation because you couldn't spell it, much less say it? How about all the things that we need to be able to do because your definition of a box is that as the need grew by 6%, the capacity fell by 8%?

You want to talk about what we're doing? We're keeping the lights on. You were turning them off. We're making a difference.

**Mr. Yakabuski:** I can spell Conawapa.

**Hon. Mrs. Cansfield:** It was "conservation" actually.

In fact, we have put Ontario back on the road to keeping the lights on for the people of Ontario.

#### RECYCLING PLANT

**Ms. Andrea Horwath (Hamilton East):** My question is for the Minister of the Environment. Your ministry has allowed ABP Recycling in Hamilton to operate for over a year without a certificate of approval. It wasn't, in fact, until the city of Hamilton called to indicate that they had been dumping illegal waste water into our sewer system that your officials showed up to investigate. Now that same company, ABP, wants a new certificate of approval to relocate and expand their operations in Hamilton. My question is simple: Will you commit to denying that certificate of approval?

**Hon. Laurel C. Broten (Minister of the Environment):** Thank you very much for the question. Each and



every circumstance in the province where certificates of approval are not met causes concern for me as the Minister of the Environment and causes concern for the ministry. The information with respect to ABP is one that I will solicit immediately from my ministry, and I will certainly get back to this Legislature when I have more information with respect to ABP.

**Ms. Horwath:** Minister, the problem is that you've failed to protect Hamilton residents from ABP's illegal operations for over a year already and there's an application right now on your desk to let them continue to pollute in Hamilton. Allowing ABP's expansion means more smog and more carcinogens into Hamilton's airshed, and there are already studies indicating that our airshed is to the limit in terms of toxins. Will you do what is right today and stop ABP from emitting more smog and more carcinogens into Hamilton's air and deny that certificate approval for ABP?

**Hon. Ms. Broten:** Full vigour will be brought to the examination of the certificate of approval. It is not appropriate for me to prejudge a certificate of approval with no documents in front of me, but I can certainly tell the member opposite that I have grave concern with respect to the airshed in Hamilton, and this government is doing a great deal to protect that airshed.

Seventy per cent of Hamilton's air pollution comes across the border with respect to transboundary air pollution. It was our Premier who, for the very first time, raised this issue across both nations last year. We will continue to undertake that work. I am working closely with the Hamilton community with respect to their airshed. We want to ensure a future for Hamiltonians with clean air, clean water and clean land. That's something that our government is undertaking each and every day in the Ministry of the Environment.

1530

## ENERGY RATES

**Ms. Deborah Matthews (London North Centre):** My question is for the Minister of Energy. Yesterday in the House, you spoke about energy price increases of 32% in Massachusetts. Massachusetts isn't alone. I understand that rates have gone up in Alberta by 23%. It appears that energy prices are going up everywhere.

Energy is critically important in our daily lives, from the time we wake up till the time we go to bed. If we have an electric blanket, we even need it when we're in bed. It's very disturbing to think what our energy bills would look like with a 32% increase.

Minister, I know the Ontario Energy Board sets energy prices here in Ontario, but what can we do to ensure that the people in my riding of London North Centre and the people across Ontario won't see the kinds of energy price increases that the people in Alberta and Massachusetts are seeing?

**Hon. Donna H. Cansfield (Minister of Energy):** I'd like to thank the member for her question and her

constant involvement, especially around people with low incomes and social housing needs.

There's no question, with 32% in Massachusetts and 23% in Alberta, that energy prices are rising, but I do not anticipate that any of those kinds of increases will be here. The Ontario Energy Board does have the authority—we are experiencing higher usage. We had an exceptionally hot summer. We know that gas prices have increased. As a matter of fact, we even know fuel prices have increased, including coal. So we know there are challenges ahead of us, but I am quite comfortable that we are not going to actually deal with increases of 32%, as you see in Massachusetts, or the 23% you see in Alberta, or the extraordinary increases right across the United States.

**Ms. Matthews:** My constituents are anxious about next month's price increase and what that will mean for their monthly budgets. When you live on a fixed income, there really isn't any extra money available to plan for an increase, and even when you're not on a fixed income, a price increase reduces the amount of money you have to spend on other things, often necessities. Regardless of what price the OEB comes out with, what can Ontarians do to lessen the impact of the increase in the OEB-regulated price?

**Hon. Mrs. Cansfield:** I thank the member for the question. We've done a number of initiatives, especially around low income. In particular, we've been working with LIEN, which is a low-income group, to help develop social programming, for example, within social housing. We've worked with the social housing corporation itself. We've piloted a program in 20 communities with over 5,000 units. We've now expanded that program to about \$9.25 million. In addition to that, we have listed a directive with the Ontario Power Authority requiring that they find 100 megawatts of supply in the appliances alone.

We have put a very concentrated effort toward low-income and social housing because we recognize that as prices increase, those who can least afford it are often more significantly hit. So how do we help them to mitigate those challenges? We are working very diligently with the sector in order to do that, because we recognize that this is indeed a challenge for all Ontarians, but in particular for those in low-income and social housing.

## COURT SECURITY

**Mr. Garfield Dunlop (Simcoe North):** My question today is for the Minister of Community Safety and Correctional Services. Yesterday at the Windsor courthouse, a man being sentenced for assault pulled out a knife, ran to the front of the courtroom and slashed his arms and threatened to slash his throat right in front of the judge. He could easily have been carrying a handgun.

As the minister responsible for public safety in this province, what are you doing to assure the citizens of Ontario that this type of action never happens again in an Ontario courtroom?

**Hon. Monte Kwinter (Minister of Community Safety and Correctional Services):** I thank the member for the question. I honestly can't guarantee that it will never happen in a courtroom again, but we do provide court security, and that is something that we have been doing for some time. We provide transportation from a correctional facility to the courts. We provide officers in the courts to provide that security.

This is an unfortunate situation. I can't really comment on the specifics, because this is something the police will be dealing with and it is really an operational issue for them. But I just want to assure citizens of Ontario that court security is provided, and this is something that is there to help prevent things like this happening.

**Mr. Dunlop:** Minister, as a result of yesterday's incident, only one of the 10 courtrooms in the Windsor courthouse is open today to the public, and that's because the court staff are too afraid to work in that environment.

A ministry spokesman said in today's Windsor Star that the experts in court security are the police, yet you and your government are not listening to the many concerns of the police about court security. We've heard this over and over again; in fact, your PA has done some kind of examination of court security.

We believe that you have totally dropped the ball on the review of court security in this province, but can I ask you this: What will you do as minister to ensure that the employees of the Windsor courthouse, and all other courtrooms in the province of Ontario, can return to work tomorrow in a safe environment?

**Hon. Mr. Kwinter:** I just want to correct the member's statement about my then parliamentary assistant looking into court security. There has never been a question about the actual security in the courtrooms. Where the question has been—and it's been raised for some time and is a result of downloading by your government when you were in power—is in paying for court security. This is a major issue with AMO and a major issue with municipalities: worrying about the cost of providing that court security and how it can work, because what is happening is that a courtroom will be in a jurisdiction, and many other communities are using it and they're not paying their share. So that investigation had nothing to do with the actual security; it had to do with how you fund it.

I want to assure you and the rest of the citizens of Ontario that there is court security in all the courthouses in Ontario. That is something we're very concerned about.

#### RESIGNATION OF AUDITOR GENERAL

**The Speaker (Hon. Michael A. Brown):** I beg leave to inform the House that I have today received a letter of resignation, effective June 9, 2006, from Jim McCarter, the Auditor General of Ontario. On behalf of all members, I would like to acknowledge and thank Mr. McCarter for his dedicated and professional service to Ontario and to wish him well in future endeavours.

#### PETITIONS

##### LONG-TERM CARE

**Mr. Ted Arnott (Waterloo-Wellington):** I have a petition to the Legislative Assembly of Ontario and it reads as follows:

"Whereas long-term-care funding levels are too low to enable homes to provide the care and services our aging seniors and parents, who are residents of long-term-care homes, need, with the respect and dignity that they deserve; and

"Whereas, even with recent funding increases and a dedicated staff who do more than their best, there is still not enough time available to provide the care residents need. For example, 10 minutes, and sometimes less, is simply not enough time to assist a resident to get up, dressed, to the bathroom and then to the dining room for breakfast; and

"Whereas those unacceptable care and service levels are now at risk of declining;

"We, the undersigned, who are members of family councils, residents' councils and/or supporters of long-term care in Ontario, petition the Legislative Assembly of Ontario to increase operating funding to long-term-care homes by \$306.6 million, which will allow the hiring of more staff to provide an additional 20 minutes of care per resident per day over the next two years (2006 and 2007)."

This has been signed by a significant number of my constituents, most of whom are interested in the Royal Terrace nursing home in Palmerston, and of course it has my support as well.

##### PUBLIC EDUCATION

**Mr. Jeff Leal (Peterborough):** I have a very important petition today to the Legislative Assembly of Ontario

"Whereas the people of Ontario demand a quality public education system that will give our children the tools to compete with the world; and

"Whereas Premier McGuinty and the Liberal caucus are fighting for our future by implementing a positive plan to improve our public schools, including smaller class sizes;

"Whereas the Conservative Party and John Tory want to take millions from the public education to literally pay people to withdraw their children from the public system and send them to elite private schools;

"We, the undersigned, petition the Legislative Assembly of Ontario to support Premier McGuinty in his commitment to giving our children a ladder to success through excellent public education and not spend taxpayer dollars to benefit the few who can afford private school tuitions."

I'll affix my name to that petition.



1540

### ONTARIO DRUG BENEFIT PLAN

**Mr. Ernie Hardeman (Oxford):** I have a petition here to the Legislative Assembly of Ontario:

"Whereas the Ministry of Health for Ontario via OHIP permits discriminating reimbursement policies for at least one specific heart medication. The medication referred to is Sotalol, a medication required to establish regular heartbeat. The 80-milligram version cannot be claimed for reimbursement, while the 160-milligram version can;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To establish equitable rules for the reimbursement by OHIP of the above-mentioned medication and to instruct OHIP not to differentiate claimability for reimbursement on the basis of differently sized doses for one and the same medication."

I affix my signature, as I agree with it.

### LONG-TERM CARE

**Ms. Shelley Martel (Nickel Belt):** I have a petition given to me by the family council at the Elizabeth Centre. I want to thank Shirley Chenard, the president of the residents' council, and also the family and friends circle of the Elizabeth Centre for taking the time to have this petition circulated in the home. It reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas long-term-care funding levels are too low to enable homes to provide the care and services our aging seniors and parents who are residents of long-term-care homes need, with the respect and dignity that they deserve; and

"Whereas, even with recent funding increases and a dedicated staff who do more than their best, there is still not enough time available to provide the care residents need. For example, 10 minutes, and sometimes less, is simply not enough time to assist a resident to get up, dressed, to the bathroom and then to the dining room for breakfast; and

"Whereas those unacceptable care and service levels are now at risk of declining;

"We, the undersigned, who are members of family councils, residents' councils and/or supporters of long-term care in Ontario, petition the Legislative Assembly of Ontario to increase operating funding to long-term-care homes by \$306.6 million, which will allow the hiring of more staff to provide an additional 20 minutes of care per resident per day over the next two years."

I agree with the petitioners. I have affixed my signature to this.

**Mrs. Maria Van Bommel (Lambton-Kent-Middlesex):** This petition is from my constituents at Chateau Gardens in Parkhill.

"To the Legislative Assembly of Ontario:

"Whereas long-term-care funding levels are too low to enable homes to provide the care and services our aging

seniors and parents who are residents of long-term-care homes need, with the respect and dignity that they deserve; and

"Whereas, even with recent funding increases and a dedicated staff who do more than their best, there is still not enough time available to provide the care residents need. For example, 10 minutes, and sometimes less, is simply not enough time to assist a resident to get up, dressed, to the bathroom and then to the dining room for breakfast; and

"Whereas those unacceptable care and service levels are now at risk of declining;

"We, the undersigned, who are members of family councils, residents' councils and/or supporters of long-term care in Ontario, petition the Legislative Assembly of Ontario to increase operating funding to long-term-care homes by \$306.6 million, which will allow the hiring of more staff to provide an additional 20 minutes of care per resident per day over the next two years...."

### SPECIAL CARE HOMES

**Mrs. Julia Munro (York North):** "To the Legislative Assembly of Ontario:

"Whereas hundreds of vulnerable adults live in homes for special care that provide them a warm and secure, stable and friendly environment which allows them to lead fulfilling lives; and

"Whereas the alternative for many of these individuals is a life of homelessness on the street; and

"Whereas special care homes have had only a single 3% increase since 1999, which in no way matches the rising costs they face; and

"Whereas the Liberal government promised Ontario in the election they would 'significantly increase supportive housing options for those suffering from mental illness';

"Therefore we, the undersigned, call on the government to bring in an immediate increase in funding to homes for special care."

As I am in agreement, I have affixed my signature and given it to page Roman.

### LONG-TERM CARE

**Ms. Shelley Martel (Nickel Belt):** I have a petition signed by hundreds of residents and family members of seniors who live at Extendicare York in Sudbury. It reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas long-term-care funding levels are too low to enable homes to provide the care and services our aging seniors and parents who are residents of long-term-care homes need, with the respect and dignity that they deserve; and

"Whereas, even with recent funding increases and a dedicated staff who do more than their best, there is still not enough time available to provide the care residents need. For example, 10 minutes, and sometimes less, is simply not enough time to assist a resident to get up,

dressed, to the bathroom and then to the dining room for breakfast; and

"Whereas those unacceptable care and service levels are now at risk of declining;

"We, the undersigned, who are members of family councils, residents' councils and/or supporters of long-term care in Ontario, petition the Legislative Assembly of Ontario to increase operating funding to long-term-care homes by \$306.6 million, which will allow the hiring of more staff to provide an additional 20 minutes of care per resident per day over the next two years...."

I agree with the petitioners. I've affixed my signature to this.

### COMMUNITY MEDIATION

**Mr. Wayne Arthurs (Pickering–Ajax–Uxbridge):** I'm pleased to present this petition for the member from Mississauga West.

"Petition to the Ontario Legislative Assembly:

"Support Community Mediation

"Whereas many types of civil disputes may be resolved through community mediation delivered by trained mediators, who are volunteers who work with the parties in the dispute; and

"Whereas Inter-Cultural Neighbourhood Social Services established the Peel Community Mediation Service in 1999 with support from the government of Ontario through the Trillium Foundation, the Rotary Club of Mississauga West and the United Way of Peel, and has proven the viability and success of community mediation; and

"Whereas the city of Mississauga and the town of Caledon have endorsed the Peel Community Mediation Service, and law enforcement bodies refer many cases to the Peel Community Mediation Service as an alternative to a court dispute; and

"Whereas court facilities and court time are both scarce and expensive, the cost of community mediation is very small and the extra expense incurred for lack of community mediation in Peel region would be much greater than the small annual cost of funding community mediation;

"Be it therefore resolved that the government of Ontario, through the Ministry of the Attorney General, support and fund the ongoing service delivery of the Peel Community Mediation Service through Inter-Cultural Neighbourhood Social Services."

I'm going to pass this page on through Andrew.

### LONG-TERM CARE

**Mr. Cameron Jackson (Burlington):** I have several hundred signatures from the family members of the residents' council, and residents themselves, of the Burloak long-term-care facility in Burlington. It is addressed to the Legislative Assembly of Ontario.

"Whereas long-term-care funding levels are too low to enable homes to provide the care and services our aging

seniors and parents who are residents of long-term-care homes need, with the respect and dignity that they deserve; and

"Whereas, even with recent funding increases and a dedicated staff who do more than their best, there is still not enough time available to provide the care residents need. For example, 10 minutes, and sometimes less, is simply not enough time to assist a resident to get up, dressed, to the bathroom and then to the dining room for breakfast; and

"Whereas those unacceptable care and service levels are now at risk of declining" further;

"We, the undersigned, who are members of family councils, residents' councils and/or supporters of long-term care in Ontario, petition the Legislative Assembly ... to increase operating funding to long-term-care homes by \$306.6 million, which will allow the hiring of more staff to provide an additional 20 minutes of care per resident per day over the next two years (2006 and 2007)."

I'm pleased to give this to Elyse with my signature of support on it also.

**Ms. Shelley Martel (Nickel Belt):** I have a petition on long-term care that was given to me by the residents' council at Pioneer Manor in Sudbury. It reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas long-term-care funding levels are too low to enable homes to provide the care and services our aging seniors and parents who are residents of long-term-care homes need, with the respect and dignity that they deserve; and

"Whereas, even with recent funding increases and a dedicated staff who do more than their best, there is still not enough time available to provide the care residents need. For example, 10 minutes, and sometimes less, is simply not enough time to assist a resident to get up, dressed, to the bathroom and then to the dining room for breakfast; and

"Whereas those unacceptable care and service levels are now at risk of declining;

"We, the undersigned, who are members of family councils, residents' councils and/or supporters of long-term care in Ontario, petition the Legislative Assembly of Ontario to increase operating funding to long-term-care homes by \$306.6 million, which will allow the hiring of more staff to provide an additional 20 minutes of care per resident per day over the next two years...."

I agree with the petitioners, and I've affixed my signature to this.

### SCHOOL BUS SAFETY

**Mr. Ernie Parsons (Prince Edward–Hastings):** "To the Legislative Assembly of Ontario:

"Whereas it has been shown that crossing control arms on school buses reduce or virtually eliminate instances of students being struck by their own bus; and

"Whereas 91% of all front-bumper fatalities involve buses not equipped with crossing control arms; and



"Whereas the safety of the children of Ontario is our number one priority;

"We, the undersigned, petition the Legislative Assembly of Ontario to require that all existing school buses be required to be immediately retrofitted with crossing control arms."

I am pleased to sign and support this petition.

1550

#### MACULAR DEGENERATION

**Mr. Garfield Dunlop (Simcoe North):** I'd like read this petition on macular degeneration, drafted by Dr. Tim Hillson, an ophthalmologist up in Orillia.

"To the Legislative Assembly of Ontario:

"Whereas age-related macular degeneration (AMD) is the leading cause of blindness in the elderly and is present in some form in 25% to 33% of seniors over the age of 75. AMD has two forms: the more common 'dry' type and the 'wet' type. Although the wet type occurs in only 15% of AMD patients, these patients account for 90% of the legal blindness that occurs with AMD. The wet type is further subdivided into classic and occult subtypes, based on the appearance of the AMD on special testing. Photodynamic therapy, a treatment where abnormal blood vessels are closed with a laser-activated chemical, has been shown to slow the progression of vision loss in both subtypes of wet AMD;

"Whereas OHIP has not extended coverage for photodynamic therapy to the occult subtype of wet AMD, despite there being substantial clinical evidence demonstrating the effectiveness of this treatment in patients with either form of wet AMD. Untreated, these patients can expect a progression in their visual loss, with central blindness as the end result;

"Whereas affected patients are in a position where a proven treatment is available to help preserve their vision, but this treatment can only be accessed at their own personal expense. Treatment costs are between \$12,500 and \$18,000 over an 18-month period. Many patients resign themselves to a continued worsening of their vision, as for them the treatment is financially unattainable. The resultant blindness in these patients manifests itself as costs to society in other forms, such as an increased need for home care, missed time from work for family members providing care, and an increased rate of injuries such as hip fractures that can be directly attributable to their poor vision.

"We, the undersigned, petition the Legislative Assembly of Ontario to fund the treatment of the occult subtype of macular degeneration with photodynamic therapy for all patients awaiting this service."

I'm pleased to sign this and present it to Cameron to present to the table.

#### LONG-TERM CARE

**Mr. Bruce Crozier (Essex):** I have a petition on behalf of the resident councils and family councils at

Royal Oak Gardens, Banwell Gardens, Brouillette Manor, Château Park, Extendicare Tecumseh, Extendicare Southwood Lakes, Heron Terrace, Regency Park and Windsor Place, and it reads

"To the Legislative Assembly of Ontario:

"Whereas long-term-care funding levels are too low to enable homes to provide the care and services our aging seniors and parents who are residents of long-term-care homes need, with the respect and dignity that they deserve; and

"Whereas, even with recent funding increases and a dedicated staff who do more than their best, there is still not enough time available to provide the care residents need. For example, 10 minutes, and sometimes less, is simply not enough time to assist a resident to get up, dressed, to the bathroom and then to the dining room for breakfast; and

"Whereas those unacceptable care and service levels are now at risk of declining;

"We, the undersigned, who are members of family councils, residents' councils and/or supporters of long-term care in Ontario, petition the Legislative Assembly of Ontario to increase operating funding to long-term-care homes by \$306.6 million, which will allow the hiring of more staff to provide an additional 20 minutes of care per resident per day over the next two years (2006 and 2007)."

I have signed this petition, and I will give it to Shelby to take to the Clerk's table.

#### HOUSE SITTINGS

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** Mr. Speaker, before you get to the orders of the day, I seek unanimous consent to put forward a motion without notice regarding extending the afternoon session.

**The Acting Speaker (Mr. Ted Arnott):** Is there unanimous consent for the government House leader to put forward such a motion? Agreed.

**Hon. Mr. Bradley:** I move that the House sit beyond 6 p.m. for the purpose of completing consideration of the second reading stage of Bill 190, An Act to promote good government by amending or repealing certain Acts and by enacting one new Act, following which the Speaker shall adjourn the House until 1:30 p.m., Wednesday, April 5, 2006, and that, notwithstanding the previous motion, the House shall not meet at 6:45 this evening.

**The Acting Speaker:** The government House leader has moved that the House sit beyond 6 p.m. for the purpose of completing consideration of the second reading stage of Bill 190, An Act to promote good government by amending or repealing certain Acts and by enacting one new Act, following which the Speaker shall adjourn the House until 1:30 p.m., Wednesday, April 5, 2006, and that notwithstanding the previous motion, the House shall not meet at 6:45 this evening.

Does the House agree? Agreed.



**ORDERS OF THE DAY****STRONGER CITY OF TORONTO  
FOR A STRONGER ONTARIO ACT, 2006****LOI DE 2006 CRÉANT  
UN TORONTO PLUS FORT  
POUR UN ONTARIO PLUS FORT**

Resuming the debate adjourned on February 27, 2006, on the motion for second reading of Bill 53, An Act to revise the City of Toronto Acts, 1997 (Nos. 1 and 2), to amend certain public Acts in relation to municipal powers and to repeal certain private Acts relating to the City of Toronto / *Projet de loi 53, Loi révisant les lois de 1997 Nos 1 et 2 sur la cité de Toronto, modifiant certaines lois d'intérêt public en ce qui concerne les pouvoirs municipaux et abrogeant certaines lois d'intérêt privé se rapportant à la cité de Toronto.*

**The Acting Speaker (Mr. Ted Arnott):** I'm pleased to recognize the member for York West.

**Mr. Mario Sergio (York West):** I'm delighted to join the debate, continue the debate and lead the debate today. Off the bat, I would like to say that I will be sharing the 20 minutes allocated to our side with the member from Scarborough Southwest.

The initial debate this afternoon deals with Bill 53. It's a bill that finally, slowly, is finding its way through second reading here. I hope we can get to it sooner rather than later; it's only some 300 pages.

It's a very comprehensive bill. I can't in all honesty say that I will be doing a very thorough job in 10 minutes—splitting the 20 minutes—in describing, more or less, the most important points of this particular proposed law. It deals with a revised act for the city of Toronto, which is the old 1997 act, and it has a number of amendments as well.

We have to recognize first of all how this bill got to this stage after first reading. Now we are doing second reading. I have to say that much of the work that has been done so far is thanks to the co-operation between the city and the province, and of course the initiative and willingness of the Premier, the government and the Minister of Municipal Affairs to really get to work on this particular piece of legislation. Because of their continued support for doing something for the city of Toronto, it was decided to move it forward. As I said, even though it does move a bit slowly, at least we are moving. It has taken some time—it has taken years, I would say—yet I'm very pleased to see that the McGuinty Liberal government has finally decided to give Toronto the power it needs to run its affairs, and in an appropriate manner as well.

While it has taken a long time, now we are dealing with second reading. At the end, I would like to say—and I say it now, as well—that I hope we can get through second reading speedily, give it approval and get on with the final debate on the bill.

I think we all recognize in this House the importance that it has, not only for the province of Ontario but for the city of Toronto as well. It is something that we all wanted, that the city has wanted. It has gone through very extensive consultations. I have to say that I believe it has been a year or maybe a couple of years now since we had consultations between the various interested groups and agencies from the city of Toronto and members from our side here, from the government. I know I attended an evening at Etobicoke Collegiate, where the consultations took place. I have to say that this particular bill, Bill 53, has wide support, not only from the members of the House and the various agencies but politicians as well.

**1600**

The minister and the Premier have recognized how important it is to have Toronto work, and work well. I don't want to be either ironic or sarcastic, but some time ago, some years ago, Toronto was recognized as the city that works. In many ways, I'd like to say that Toronto still works, but it could work better. And I think this will go a long way in allowing the city, the mayor and the members of city council to really conduct affairs in a responsible way, accountable to the citizens of Toronto. Why is that? Why have we recognized the importance of allowing Toronto to have these new powers? I don't have to say that if Toronto works well, I think the province of Ontario works well as well. And so it should. This is recognized by everybody who has been working to get the bill to this particular point.

So yes, having lauded the work and the support from the Premier and the minister and all the others involved, I would say just a couple of things, because I have less than four minutes left. What does this bill do? Some of the most important things, especially in parts IV, V and VII, deal with transparency at the municipal level, at the city level; accountability; changing a number of provisions; and revisions as well. One of those things is adding additional duties, responsibilities and powers to the city.

Part IV, for example, deals with governance and the framework, the structures. The city will have—saving time, if you will—the power to deal with changes in boundaries and wards and council composition and structures as well; the power to create boards and commissions, and how they will do that. But one very important aspect is accountability and transparency, how they run city business. They will have to provide for the establishment of a mechanism and an office relating to the accountability of the city; establishing a code of conduct for members of council and members of some boards as well.

Bill 53 calls for the appointment of an integrity commissioner. We have one, the feds have one, and I believe it's time the city gets serious, appointing an integrity commissioner, and as an ombudsman as well, who has the power to conduct investigations with respect to city affairs and so forth.

Another very major aspect included in the bill is that the act requires the city to appoint an Auditor General.



We have seen in the last few years the very important necessity to have an Auditor General who will have access to records and information.

Quickly, one of the other parts of the bill, part VII, deals with financing and administration. This, again, includes the administration of the city and boards; and the budget process, which is a very important part of running the city and running it in a very efficient way. It does require an annual return, containing financial information, to the Minister of Municipal Affairs and Housing, and also requires the city to prepare and publish annual statements.

While we have recognized the importance of giving the city these new powers and new authorities, we also are saying to the city that we want to see good government, we want to see transparency from the city of Toronto, and we are going to give them the tools to make sure that the city of Toronto can run well, in a very successful way, because we feel that if Toronto runs well, it's leading the province of Ontario to run well.

I'm down to my last minute, Mr. Speaker. I have to say to the Premier and the minister, thanks for spearheading this bill, for bringing it to the House in a very fast way. It's moving through the process. Unfortunately, the process is such that everybody has to have a say in it.

Recognizing that, I will do my share today and maybe we'll have a bit more time on third reading, unless we want to move the bill in a very fast way and get on with it, and then we can say to the city of Toronto, "Here you are. Now we have given you the power and authority you've been seeking. You're on your own. Let's see where you're going to take us from here." Having said that, I will terminate my 10 minutes and pass it along to my colleague from Scarborough Southwest.

**Mr. Lorenzo Berardinetti (Scarborough Southwest):** I want to thank the member from York West for sharing his time with me and giving me a few minutes to speak on the bill in front of us today, Bill 53, An Act to revise the City of Toronto Acts, 1997 (Nos. 1 and 2), to amend certain public Acts in relation to municipal powers and to repeal certain private Acts relating to the City of Toronto. It's a pretty large bill. It's a pretty thick document that we have in front of us today. It's quite significant because it really brings about a landmark or watershed in terms of provincial-municipal relationships, at least with the city of Toronto and province of Ontario.

As a former city councillor of the city of Toronto, this is something that I myself have to say personally on behalf of the people Scarborough Southwest, Toronto and the Toronto area, that we're very happy to see a bill that gives the city of Toronto a number of powers and rights to do things it couldn't do before.

Before I speak any further on that, I just want to put into the record a little bit about the past. When I was on city council, there was a little bit of acrimony—actually quite a lot of acrimony—that existed between the city and the province of Ontario. At the time, all sorts of things were going on in Toronto. Proposals were being put forward to separate Toronto from the rest of Ontario.

The mayor at the time, Mel Lastman, even suggested that we should create our own province and that the people of Toronto should separate from the rest of Ontario. These ideas were perhaps a little bit far-fetched, but they just illustrated the severity of the situation and the down-loading and the way that Toronto was being treated in respect of the rest of the province, with respect to how the Mike Harris and Ernie Eves governments wanted to treat us at the time.

**Mr. Brad Duguid (Scarborough Centre):** Like the Cold War.

**Mr. Berardinetti:** As my colleague from Scarborough Centre has said, it was almost a cold war, very similar to the Cold War in many ways.

I want to read into the record a Toronto Star article—and actually the Toronto Star did support amalgamation when it occurred back in 1997. There was an article that came out Friday, May 12, 2000, and I just want to read a little bit of this into the record. I'll give a copy to Hansard as well.

"Download Debate Heats Up.

"Lastman Puts Cost to City at \$251.7 million; Harris Puts it at Zero.

"A day after Premier Mike Harris fired off an angry letter to the city of Toronto, Mayor Mel Lastman said an auditor will be hired to prove provincial downloading is costing the city \$251.7 million annually.

"I know what I'm talking about, and my figures are right to the penny," Lastman said in an interview yesterday.

"Definitely, he (Harris) is not getting the right information. I think he's being misled by being given the wrong figures," Lastman said.

"We're going to get an auditor and we're going to get all the figures audited and let (Harris) fight with the auditor—and let him say the world is wrong and he's right."

"Lastman said finance department figures show the rearrangement of services that were covered by the city and the province before amalgamation costs the city \$251.7 million.

"Big-ticket items include provincially owned social housing and 50% of GO Transit funding.

"In addition, the federal government has forced the city to pay about \$35 million annually of the cost of settling refugees, including health services such as tuberculosis prevention. That brings the total to almost \$300 million a year, Lastman said.

"In a letter to Lastman earlier this week, Harris scolded the mayor for complaining about the lack of provincial funding for public transit and continued complaints about the burden the province has placed on the city.

"I have often heard you use the term "downloading," a term that is neither accurate nor fair," Harris wrote.

**1610**

"Yesterday, Harris said the city should be thanking the province instead of complaining.



“Toronto was dying when we took office (in 1995); it's now booming, it's now leading Canada and indeed the province,” Harris said yesterday.

“Some pre-electioneering of some politicians in Toronto seem to be indicating it was hard done by under our government, and the facts are, Toronto is doing very well,” he said.

“He said no independent audit is going to prove otherwise.” I wonder why.

“Harris also wrote that municipalities, through the Association of Municipalities of Ontario, asked the province to give them total funding responsibility for public transit.

“But Pat Moyle, the group's executive director, stated flatly to city council that Harris was wrong. Moyle said president Michael Power was ‘extremely disappointed and very distressed’ by the letter.

“In a response to the letter yesterday, Lastman said he supports ‘a new partnership with our great province and our great country to alleviate some of the horrendous funding pressures on Canada's largest city.’

“While stating he doesn't back secession, Lastman said he doesn't want the city to stay a ‘municipal marionette.’

“He said he would support putting the concept of a city state as a referendum question on the November ballot.

“After debating the issue of a referendum question on secession or a city state yesterday, councillors deferred the debate for a future meeting.

“But Harris made it clear the province would not permit such a question.

“No, I'm not going to have a referendum on busting up Canada.”

This is the sort of language, this is the sort of diatribe, this is the sort of debate that occurred not too long ago—six years ago. Looking back on those days, they were very dark days indeed. We at city council were extremely frustrated in trying to find a solution. Here we are in 2006, and I don't need to list all the accomplishments that in two years have basically undone over five years of Harris-Eves damage, in particular around the years 1999, 2000 and 2001.

One of the biggest things was that we don't see the fighting anymore, the acrimony between the mayor and the Premier. Premier McGuinty has forged a very strong and good relationship with Mayor Miller here in Toronto. The two talk regularly, discuss issues regularly, don't fight it out through the media, don't call each other names through the media but actually sit down. This is something new, something that I thought would almost never happen and never did happen during the Harris-Eves era. It was almost as if we were being talked to like little school children by Mr. Harris. I'm not saying that every single Tory was that way. I think that some Tories were sympathetic to the city of Toronto.

**Interjection:** Not many.

**Mr. Berardinetti:** Not many, but there were some.

Generally speaking, the Premier and his Minister of Municipal Affairs—first Al Leach, later followed by Steve Gilchrist, who I think lasted a couple of months, if I'm not mistaken, and then he was replaced by somebody else, I think Tony Clement, who came out with a wonderful solution: “You know what? I know how to fix Toronto. Reduce the size of your council. Make it smaller.” It was kind of like what Mike Harris has done around here: Trashed the pensions, made the energy around here so polarized that that air of friendship or camaraderie is gone between the politicians here at this level, from what I hear used to exist in the past. I think the poisoned pill was dropped when Mike Harris was in government. He did it and he could kick and pick on one of the easiest targets, which was the city of Toronto, and now we've seen the turnaround.

We see two cents per litre now being given to public transit. We saw a budget last week, and some might say it's a Toronto-centric budget, but do you know what? It's a budget that addresses issues for Toronto that were completely overlooked for several years. If you want to kick around Toronto, go ahead and kick it around. I know that some guys love to kick around the city of Toronto. But if you don't have the city of Toronto, you're not going to have a successful Ontario. The same is true with any major state or any major country. If you're going to kick around London, you're not going to have a successful England. If you're going to kick around Paris, you're not going to have a successful France. If you're going to kick around New York City, you're not going to have a successful New York state. But for some reason, Toronto-bashing seems to be, and was, in fashion back in 2000-01.

Toronto now is working with the Ontario government. The Premier, Minister Gerretsen and the parliamentary assistant, my friend Brad Duguid, are all working very closely with the city of Toronto to make sure we don't have that kind of acrimony anymore and to see what other kinds of relationships can be forged.

I wish I had more time to talk about the actual bill in front of us and some of the highlights, some of the powers that are now given to Toronto. These are things Mayor Miller has come out and said are good. You don't hear too many councillors these days bashing the provincial government. The councillors may come from all different political stripes, but they generally acknowledge that the province of Ontario today, through the leadership of Premier McGuinty, has brought and forged a new relationship.

In this act in front of us today, Bill 53, in all sorts of sections, the relationship between Toronto and Ontario is reviewed. Perhaps at some point in the future I can talk about it, but it's everything from allowing the city to deal more with some simple things like allowing businesses—to bring business into the city; under section 82, the city is authorized to provide financial incentives to commercial enterprises. This is something good. The act itself is good and I support it.

**The Acting Speaker:** Questions and comments?



**Mr. Garfield Dunlop (Simcoe North):** I'm pleased to take part in the debate this afternoon and respond to a few of the comments. To begin with, I would like to take this opportunity to congratulate Christine Elliott and Lisa Macleod, our two newly elected Progressive Conservative members of our caucus—they'll be sworn in in a few days' time, I understand—and the NDP on the election of Peter Tabuns. During this great election, I had the opportunity to spend some time in Toronto.

Listening to the most recent member's comments on the City of Toronto Act, of course, he spent most of his time picking on Mike Harris. You would think that after three years in government, they would have something else to talk about except Mike Harris at this point. The one thing that's incredible is that you were opposed to the annexation of the six cities that formed the city of Toronto, yet if it was such a bad thing, you'd think they would remove that annexation and let it go back to the original system. Wouldn't that be a real, true leader, if Mike Harris did such a bad job? But oh, no. What they're afraid to say is that Mike Harris had the courage to amalgamate the city; they never would have. And they don't have the courage to un-amalgamate it because they know it was the right thing to do. That's the problem. It was the right thing to do, and I congratulate former Premier Harris on a job well done in forming that amalgamation. It was the right thing to do, he had the courage to do it, and that's the way Conservatives do things. They have the courage to make these kinds of steps.

It's unfortunate that they can stand here and bitterly pick on Mike Harris and talk all they want for question period after question period and statement after statement, but they don't have the courage to make any changes.

**Ms. Shelley Martel (Nickel Belt):** In response to the comments made by Liberal members, I've got to tell you that Bill 53 tinkers around the edges of what needs to be done with respect to the city of Toronto—

*Interjections.*

**The Acting Speaker:** Sorry to interrupt. Member for Nickel Belt.

**Ms. Martel:** Bill 53 tinkers around the edges of the real problems that are facing the city of Toronto, and indeed these are the same problems that are facing so many cities right across, and that's the problem of the download, which has not been resolved by this government. David Crombie said on December 5, 2005:

"When the Harris government downloaded social services and social housing, I said at the time that it was wrong in principle and disastrous in practice. It is still the case, and it would be a responsible action for the current government to upload both these services to restore the balance."

After three years in government, you would think that this government would start to make some significant moves to do that, but the reality is, and AMO pointed this out very well this summer, that too many property taxpayers continue to pay for soft services, for social services, for health services that are the responsibility of the provincial government. AMO said it very clearly:

"Ontario is the only province in Canada where municipal property taxes are used to subsidize provincial health and social services programs, like welfare and employment services, disability benefits, drug benefits, social housing, child care, homes for the aged, public health and ambulance services...."

"Municipal governments in Ontario spend over \$8 billion a year on provincial health and social service programs. That's about one third of total municipal operating expenditures of \$23 billion a year. When you subtract provincial cost-sharing for some of these programs, federal contributions and user charges, the net municipal subsidy paid toward provincial health and social services programs is more than \$3 billion a year."

That's the significant problem facing the city of Toronto: the refusal of this government to upload some of those downloaded services that they talk so much about. If you did that, there would be a significant positive change here in this city.

1620

**Mr. Duguid:** I listened carefully to the speeches made both by the member for York West and the member for Scarborough Southwest. I want to thank them for the contribution they've made to this debate, but more importantly, for the dedication and commitment they've had to their city of Toronto. They've both been very, very important in terms of the development of this policy, and have both played an important role in the change that we've seen in the relationship between Toronto and the province of Ontario. That change has made a difference already in the quality of life that the people in the city of Toronto enjoy. That change has made a difference already in the quality of life because of the fact that Toronto often drives economically much of what goes on in the province and the quality of life of each and every Ontarian. I want to thank them for the contribution they've made.

Indeed, this legislation will change that relationship even further. It recognizes Toronto as a mature level of government. It ensures that Toronto has the revenue-generating tools that it will need to move forward and compete with other cities its size internationally. It ensures that they have access to the powers, the independence, the ability and the autonomy that Toronto needs to make autonomous and important decisions, so that they don't always have to come cap in hand to city hall for assistance with regard to decision-making. It also ensures greater accountability, which is a very important part of the puzzle.

I was a member of Toronto council for nine years prior to coming here. I can tell you that they were dark times, that Toronto was subjected to many years of downloading. This last budget is just the last example, as we've gone through and changed that relationship, where we've really turned things right around in the city of Toronto. This government has been good news for this city, and I'm very proud to be part of it.

**The Acting Speaker:** We have time for one last question or comment.



**Mr. Robert W. Runciman (Leeds–Grenville):** Responding to the member from Scarborough Southwest, it's regrettable he didn't devote more time to the legislation; he focused on attacking the previous government and the previous Premier. That's regrettable. I don't recall that member referencing Toronto issues on a very regular basis. In fact, he's known best around this place for attempting to regulate the price of haircuts. I think it may be based on the fact that we found out the Premier is paying over \$50 for his haircuts. Maybe that was the catalyst for the bill to regulate haircuts and hairdressers.

What we might expect next from this member, perhaps, is to regulate the price of homes in Forest Hill, because we learned not too long ago that the Premier is now residing in a \$1-million-plus mansion—I should say “taxpayer-funded mansion”—in Forest Hill, paid for by the Liberal Party of Ontario with contributions from people right across the province. We know that the Premier now also has a chauffeur-driven limousine to transport him back and forth, and when the traffic is too bad on the way to Hamilton, he gets a government-funded, taxpayer-funded plane to fly him over the gridlock to Hamilton to attend a meeting.

In contrast, the leader of the Progressive Conservative Party of Ontario, Mr. John Tory, has stood up and fought for Toronto interests for so many years. He's a Toronto native. He was the chair of the Greater Toronto United Way. He was co-chair of the Toronto City Summit Alliance, which dealt with many of the issues related to the city of Toronto legislation that is before us today, and came up with suggestions and proposals on how to address the long-term future of this world-class, great city, a city that I've lived much of my life in now for the past 25 years as an MPP. I love this city; I love its neighbourhoods. So to deride the Progressive Conservative Party is unfortunate. We love this city. We want to see what's best for this great city of Toronto.

**The Acting Speaker:** One of the government members has two minutes to reply. I return to the member for Scarborough Southwest.

**Mr. Berardinetti:** I want to thank all members who provided some comments on the speech. I just want to remind the member from Leeds–Grenville that I did share my time with the member from York West, Mr. Sergio, and he did speak to the bill for 10 minutes.

You cannot help but say something about what Mike Harris did. It's not personal. It affects Toronto taxpayers to the millions of dollars. I heard it when I knocked on doors in Scarborough. Maybe up in Leeds–Grenville they didn't hear about it, but I sure as heck heard about it, and the people responded at election time.

If you want to talk about the bill, Toronto is going to have tools and it will have all sorts of flexibility that it didn't have before. It will be able to pass bylaws regarding all sorts of matters it couldn't before. It will have more accountability with a lobbyist registry and an Auditor General. It will change governance structures with new committees and boards. There will be land use planning with local appeal processes regulating sustain-

able design, business regulation, licensing, holiday store closing, fiscal issues, raising revenues, limitations on taxation, controlled demolition on housing and conversion of rental housing. These are just some of the areas which Toronto has been asking for powers for years to run as an effective city. So, yes, the bill is quite all-encompassing.

One can read the bill and see that it is all-encompassing and gives Toronto tremendous and much-needed resources, but at the same time one cannot forget the past. What happened in the past was absolutely incredible. It used up a lot of Toronto's energy. It pitted one group against another against another, which the Tories were famous for doing. Those days are over and we now have peace between Toronto and Ontario.

**The Acting Speaker:** Further debate?

**Mr. John Tory (Leader of the Opposition):** I wanted to speak to this bill because I'm from Toronto, as the members know, and because I've had a keen interest in these issues for some time. People assume sometimes that when you come into politics, that's the first time you cared about a lot of the public policy issues affecting Toronto or anything else, but as the member for Leeds–Grenville made reference, I've had a deep and abiding interest in issues affecting this community and its governance for some considerable period of time. Indeed, I probably became aware of some of the concerns about how Toronto is governed and some of the needs that Toronto has, some of the special needs that some of our special neighbourhoods have, when I was involved for many years with the United Way, culminating in service as its chair for one year and as its major gifts chair for many years.

I think it was as well the initiative that I took, together with three other people, to pull together the Toronto City Summit Alliance, which was the first time in many, many years we had brought together all kinds of decision-makers from Toronto: politicians, business people, social activists and others. That led to the Toronto City Summit Alliance that exists today and of which, again, I was one of the first co-chairs. That in turn led to a lot of the initial discussions that took place with respect to the need for governance reform in Toronto and to the establishment of something like MARS and the Toronto Region Research Alliance. A lot of things that have happened since then arose out of those discussions, of which I was very proud to be a part. So to stand and speak to this legislation is something that is important to me and has been important to me for some time.

I always like to start, as I said in my reply speech to the budget, on a positive note. I think that indeed some of the steps have been taken in putting together this bill to address the need for some greater autonomy on the part of the city and some of its decision-making. I think in particular of the kinds of decisions that required previously an application here for a private bill, which necessitated the city to spend money on advertising and wait in a long queue to get things like speed bumps, and even a lobbyist registry. I ran for mayor saying that there would have to be one established, and I thought it was



appalling that you had to come up here, cap in hand, to plead for permission to establish a lobbyist registry for the city of Toronto when you're dealing with a very sophisticated government in a very large city. Some of those issues are being addressed.

The government, upon introduction of this bill, made a great deal of the fact that it is addressing some of the accountability issues through the establishment of an auditor and an Integrity Commissioner for the city. I include that reluctantly in the category of good news only because they're really trying to take credit for legislative provisions that are being put in here to confirm offices that have been created for some time now, within the city government, by itself. As usual, there is less than meets the eye when you take a look at this legislation from the McGuinty Liberal government in terms of really addressing some of these issues of autonomy. But the fact that those things are confirmed here—and some of these decisions used to take up, and still do, a lot of time at the city and are delayed months and years on end while they wait in some queue here, cap in hand—is a step forward.

1630

There are a number of things one could say, however, where this piece of legislation and indeed the process that led to it fall well short. I said on the day it was introduced that I was very concerned that the government had gone about the process backwards. I want to repeat some of those comments today, only because I really believe they have made a mistake in the way they have gone about this and in doing it backwards, as I say.

A number of the commentators, whether it be the board of trade or others in the newspapers, have talked about the fact that the accountability that goes with increased responsibility should at least have been dealt with concurrently with this bill. But it has not been, I regret to say. That should be of concern to taxpayers who are watching out there. It should be of concern to this government. We all know they talked a lot about accountability before the election, but when it came time to actually deliver on accountability on any front, we've seen that they forgot a lot of what they said before the election—and that's being charitable, to say they forgot about it.

The accountability should have been dealt with concurrently, and it has not. In fact, we're going to find, if this bill is passed, that powers to tax—and I'm going to talk about that—are going to be given to the city before any changes have been made in the accountability, and especially accountability as it relates to the governance structure of the city. In fact, we're going to have a municipal election before any of those kinds of governance changes are dealt with, and I think that's a mistake.

The way I think this should have been dealt with, if you had wanted to do it in a way that was respectful of the taxpayers, that was going to quantify the nature and scope of the problem and deal with this in a businesslike way, is that the first thing the government should have done—and I agree with the member for Nickel Belt. She

commented a few moments ago on the fact that the elephant, as I described it, that's sitting in the room and that wasn't addressed during the preparation of this bill—nobody spoke to the elephant and nobody even acknowledged the elephant was there—is the fiscal imbalance that exists between the city of Toronto and the province of Ontario.

While there have been various estimates over time as to what the scope of that fiscal imbalance is, we see estimates that change almost every day. Now they're projecting the scope of the fiscal imbalance for next year as \$400 million. This year, we heard it was \$500 million-plus. Of course, the bottom line is that it has led to this annual circus we've seen that has gone on for years and years now. Again, Mr. McGuinty was, as I described him in the case of the college teachers' strike, Mr. Big Talk when it came to saying he was going to do away with that and that this was a terrible scandal. Indeed, we've heard a lot of talk from our friends in the Liberal caucus this very afternoon about all the evils that were foisted upon the city of Toronto and its residents by the previous government, and yet many of the things they would decry, and have decried here this afternoon, Mr. McGuinty and his government have done absolutely nothing about. They talked about it a lot in the run-up to the election, they talked about it for years before that, and they have done nothing about it.

The first thing they should have done, I would say with respect, is quantify; have somebody who is not partisan in this, who is not an interested party, sit down and say, "Once and for all, let's quantify this number that seems to float up and down depending on what month of the year it is or who the budget chief at city hall is or who the mayor is or who the minister up here is, and so on."

Having done that, I think then it was incumbent on the government, as my friend from Leeds–Grenville pointed out—I think it was him or maybe it was the member for Nickel Belt. That's a hard distinction to make between the two, I know. But one of the previous speakers said that it's not just Toronto that faces these issues of a fiscal imbalance between the province and the cities. It was incumbent upon this government, especially having talked so much about it, to quantify the problem and then, on a province-wide basis, I would suggest, to address what it was going to do to address the whole question of the fiscal imbalance, even if it was a plan that was going to go out four or five years.

Then, when you had done both of those things, which is to quantify the Toronto problem, put forward a province-wide solution that could address whatever one was prepared to address in terms of the downloading, and upload some things or change the fiscal arrangements between the cities and the provincial government, you would see what you had left in terms of a financial problem. Make no mistake: The governance part of this—there were really three aspects to this problem, at least three significant ones. One was accountability, transparency and maintenance of integrity in standards, which are dealt with through the auditor and the integrity



commissioner; changes that will ultimately happen to the city governance structure and so on, which I was arguing a moment ago should have happened now as opposed to later. Two was the issue of the fiscal imbalance and that that has to be addressed as well.

I think we've done this backwards. I have suggested as well that at the same time that the province developed a solution to the overall fiscal imbalance between itself and the cities, the city of Toronto in particular, a big, \$7-billion government, should have been required concurrently, while this exercise was going on, to do what I describe as some combination of a program review and/or a value-for-money audit.

I say that because I think what happened in the aftermath of the amalgamation, quite frankly—and we can debate all day whether the amalgamation should or should not have happened. The comments that the member for Simcoe North made were absolutely correct. If, as the member for Don Valley West says, there can't be a single citizen left in the city of Toronto who believes that amalgamation was a good thing, then I would think it would be an easy political act for this government to decide that they were going to bring forward legislation to undo the amalgamation. It would be a wildly popular thing that would guarantee the re-election of all incumbent members. Since we don't have any at the present time—we will after 2007—this would be a great thing for them to do. If they believe that it was wrong, if they believe it's wildly popular, then they should proceed to have the courage of their convictions and do it. But of course they won't do it because they never have the courage of their convictions and because they know, as the member for Don Valley West knows, that it's simply not true that there isn't a citizen in Toronto—the fault here lies in the fact that the steps were not taken by those concerned, throughout the time between the amalgamation and today, to achieve some of the efficiencies and to do some of the things that could be done with the city of Toronto government to make sure it runs in a way that all taxpayers could be confident respects the best value for their money and the most efficient kind of government they could see anywhere in Canada.

I was saying, when I was speaking somewhere the other day, that I remember standing in the middle of Marlee Avenue when I was running for mayor in 2003 and pointing out that on one side of the street the garbage was being collected for \$74 a tonne, and on the other side of the street for I think \$35 a tonne or some such number—a huge discrepancy. Of course, on the west side of the street it was collected by the private sector and on the east side by the public sector. I didn't even advocate on that day that you should turn the whole thing over to the private sector or that you should cause anybody who worked for the city to have to take an adjustment to their wages. I simply said that there was a responsibility that exists with the people in government to address a discrepancy like that and insist that the side that is spending \$74 a tonne to get the job done be told, "You can't spend that much. There are other people who have proven that

it can be done for less. Bring yourself closer to that number, whether it's by changing your work habits—if you want to contract it out, go ahead and do it," and so on. What do we see them doing today? In fact, I think they're closing down some of those contracts that were doing it for a lot less and repatriating that work to the city's public service at, from what I gather, from what I read, what will be an increased cost. It doesn't make any sense.

I think it was necessary for people to see that this value-for-money audit and this program review were done on a line-by-line basis, and indeed that's supported by the board of trade. It's supported by others who said that you had to address the issue of accountability in this city government before you moved to give them the power to increase taxes. Indeed, I believe this was recognized by no one less than the previous Minister of Finance, Mr. Sorbara, the member for Vaughan–King–Aurora, who, it was well noted, was slowing down the emergence of this bill out of cabinet into the Legislature because he had concerns about giving new taxing powers to the city of Toronto. I think that's because he recognized, first of all, that the taxpayers generally—and I think most of them watching, and just about anybody else who isn't watching—would agree that they are paying enough tax. They're paying enough tax in total. I think their view would be that if the governments got their act together collectively and made more with the money they had—achieved efficiencies, really focused on value for money—then the governments could do a lot better with what they had before they started worrying about raising taxes.

I note with interest that the Toronto Star makes reference on March 29—Royson James—to the fact that the city of Toronto has had a 21% increase in its spending in three years and that the total of that increased spending is more than the entire annual budgets of Mississauga, Brampton, Vaughan, Markham, Oakville, Richmond Hill and Pickering combined. They point out that the city has increased its spending in the current administration by \$436 million a year. They go on to talk about the fact that this has consisted of things like principal and interest payments on the city's debt, up \$93 million over that time; facilities and real estate costs up \$32 million; waste management up \$26 million; and IT costs up \$10 million.

This is an article that comes from Karen Stintz, one of the city councillors, written in the National Post. She says, "Servicing the city's debt is now the third-highest line item. For the third straight year, the city has failed to make its required contribution to finance employee benefits. Even if the city adds no new spending to its budget next year, it will be faced with a \$291-million shortfall as a result of debt charges and the implications of depleting reserve funds and selling fixed assets to cover operating expenditures."

She goes on to say, "The board of trade presented the mayor with a list of practical measures that would help the city be financially sustainable and independent of the province."



It goes on to say, "One senior civil servant has also proposed strategies to review each department's base budget to determine how to become more efficient. Both strategies need to be reviewed before the city goes begging to other levels of government for additional funds. Toronto residents demand that their civic leaders are accountable and responsible for the allocation of their tax dollars."

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The Toronto Star said in its editorial on December 29, after this bill was introduced, "Before Toronto can assume new powers, its leaders must be made more accountable. The existing, dysfunctional system at city hall is, frankly, an embarrassment.

"Importantly, this issue has consequences beyond the city's borders." It goes on to talk about how this will set the pattern for new rules that are going to be in place.

Now, what has the government done? Did they actually, first of all, quantify the nature of the problem and address this \$300-, \$400-, or \$500-million shortfall the city has every year because of the provincial and city fiscal imbalance? No, they did not. Did they take a look at the notion of saying, "We're going to introduce this legislation, and while it makes its way through the Legislature and takes effect, we're going to insist that you do a value-for-money audit and a program review and present us—all of us: the taxpayers, the legislators, the city councillors and so on—with the results of that kind of review so that the taxpayers can see the kinds of measures that could be taken in a \$7-billion government to achieve those kinds of efficiencies without raising taxes"? No, they did not.

What did they do? They did the same thing Mr. McGuinty always does. Interestingly enough, it's exactly the thing he promised he would never do but the thing he always does: He turns to the taxpayers first. In the city of Toronto they're going to get the same thing, courtesy of Dalton McGuinty, they've had everywhere else: Pay more and get less. He has introduced a piece of legislation here that turned first to the taxpayers for more money and said, "We believe the solution here is to create new powers to tax, so that now drinks and land transfer tax"—let's go through what's in here.

A tax on alcohol: I would say the tourism industry and the hospitality industry are already struggling across the province and the city of Toronto. They will tell you that. I saw the hotel association person at a board of trade reception in this building last week, and he said they're still struggling. Add a tax to the drinks, and you're simply going to make it harder for them to do business.

A tax on entertainment: Last time I checked, some of the theatre companies in Toronto are having a hard enough time making ends meet. But if you just raise the price of the tickets in order to deal with this issue, as opposed to looking for efficiencies, you're going to make life tougher for them.

How about a surtax on the current land transfer tax? That will raise the price of housing so that young people

looking for a new house or a new condominium will find they are going to have to pay more for their housing.

Then, of course, there's speculation on whether we could have a congestion charge, whether we could have some sort of additional vehicle charge and so on. Indeed, when you look at this legislation, they have gone to "Tax first and worry about the rest later," which I don't think is correct.

There are a lot of other things in here that are worrisome, because not only have they gone to "Tax first and look for efficiencies later; tax first and look for accountability later; tax first and worry about governance later," but they have given very broad new powers to license. Mark my words: I think that before it's all said and done, we will see, particularly in the absence of meaningful changes to governance, a city government that will not be able to restrain itself from imposing additional licences and requirements for licences on people like landlords, where each apartment will have to have a licence and the licence fee will simply be passed through to the tenants. They'll say, "No, it's not really a tax. The city did it," and so on, but they're giving them the power to do these kinds of things. The last thing, I would argue, that most businesses trying to carry on here in this city need is more red tape, more licence applications to fill out, more licence fees to pay and so on, but that's what's been done.

I should point out that there are a number of sections in here, if you look at them carefully, where again there's the same kind of sleight of hand that was done in the LHIN legislation and elsewhere. In the LHIN legislation, as we'll all recall, they said, "All the autonomy and all the advice-giving power is going to local people." Then when you actually look at the legislation, you find that really all the power is going to the minister so that he can make decisions to close hospitals and cut off services and so forth. If you check this bill out carefully, you'll see that the broad powers given in sections 7 and 8 and elsewhere are in fact subject later on to clauses that say the minister and the Lieutenant Governor in Council can basically override all of those powers that are given to the city. So this is in some respects a mirage that I think is being presented to the city councillors and that they were so happy about. I think they will come to know what we've all come to know very well up here at Queen's Park, namely, that he who maketh the promises is the same one who also breaketh, and that he who giveth will be the same person who taketh away, in the person of none other than the very same Mr. Dalton McGuinty, the Premier of Ontario.

We have suggested, and I think it's a constructive suggestion, that the government still has the time to do this right. They could still get somebody to quantify the scope of the fiscal imbalance between the city and the province. They could then get somebody to independently go in and do the value-for-money audit and program review within the city government. It's not a bad time to do it, with a municipal election coming up later this year. They could delay the proclamation: I made the



suggestion quite a while ago that they could delay the proclamation of the taxing power sections of this bill so that you are sure no one on city council anywhere is going to turn to the power to tax and take more money out of people's pockets before they first look at what they are doing and how they are spending existing money.

It's disappointing to me to conclude that the right thing to do here was to introduce a City of Toronto Act—there's no question that one was necessary—and to do some of the right things, such as creating some of the autonomy the city needs to make some of its own decisions on things like an integrity commissioner, an auditor, a lobbyist registry, speed bumps and all those sorts of things. At the same time, that has been counter-balanced by a failure to do this right and by the usual McGuinty Liberal resort to the taxpayers' pockets first, to simply reach in and take more money out before requiring that there be not only more accountability but a value-for-money audit, that there be a proper program review to make sure the city is spending the money it presently has in a more efficient manner.

I regret that very much because I think that had it been done the right way, people would have known they were getting better government and better value for their tax dollars. They would have known they were going to get a real commitment from this government to address the fiscal imbalance, not just for Toronto but for all cities across Ontario. We have a failure on all those accounts and I think that's an unfortunate missed opportunity.

**The Acting Speaker:** Questions and comments?

**Ms. Andrea Horwath (Hamilton East):** The comments made by the Leader of the Opposition were very instructive in terms of his review of the legislation. I can tell you that the NDP critic for this area is Michael Prue, and he spent some time analyzing this bill as well. A little later on this evening, I'll have the opportunity myself to speak to some of the issues we found to be problematic with the bill.

One of them is exactly the same one on which the previous speaker spoke, and that is the issue of the extent to which these powers really exist, the extent to which the bill actually provides override capacity for the Premier and cabinet to perhaps suffer the ideas that come from the council, but if they're not well received and not something the government of Ontario supports, they can prevent those things from happening. Although there is an appearance of more power, particularly around governance and structural issues, in fact the power still remains with the government of Ontario.

There are many other concerns, not only those raised by Michael Prue in his discussion around the fiscal problems the city of Toronto faces, but coming from the city of Hamilton, those very same fiscal problems exist as a result of the downloading that needs to be fixed. Unfortunately, the government didn't fix that in Bill 53 for the city of Toronto, and as we just saw in the budget introduced by this government, they didn't fix it for anybody else, either. I'll be spending some time talking about that as well because it's of great concern.

Finally is the issue around the consultation that was apparently taking place with Toronto and other municipalities that this government is so proud of, and yet walking the streets of Toronto–Danforth recently in the by-election, we were hearing from people that they're very concerned about the government's lack of consultation in terms of their response to the mega-power plant project on the port lands.

**Mr. Duguid:** I listened very carefully to the Leader of the Opposition's comments. There was a time when I thought the Leader of the Opposition might have understood a little bit about Toronto, but from what I can see here today, he has entered into the politics of trying to have it both ways. When he talked about structural changes for the city of Toronto, he talked as though we should be imposing those structural changes without giving the city itself an opportunity to consult with its people and reach a reasonable conclusion. All that is a throwback to the Harris days: impose, impose, impose. That's not what this government is about. This government is about working with the city, improving the way the city works.

**1650**

Will we hold them accountable? Yes, you're absolutely right. In this legislation, we ensure that there's a regulatory ability for the minister to step in at the appropriate time, if he needs to. But we have confidence in the city. Unlike the Leader of the Opposition, we believe in the city. We know that our city councillors are there for the right reasons and we think they'll get the job done.

The Leader of the Opposition, as if admitting that the previous government imposed many evil, anti-Toronto policies on the city, indicated that we've done—

**Mr. Tim Hudak (Erie–Lincoln):** Evil?

**Mr. Duguid:** That's the word that your leader used: "evil" policies. He said that we're not doing much to undo those. Where has he been over the last two years? We've just passed a budget, a budget that he did not support, that improves public transit incredibly: over \$800 million to get a subway line is going in the city; over \$1 billion going to the TTC; \$200 million going to the city of Toronto through the TTC. Did he support that? No, he didn't. Over \$132 million a year will be going through the gas tax. We'll be making that more flexible for the city. Uploading of public health costs, uploading of land ambulance costs—these are tangible things that this government has done to improve things in the city of Toronto. For the Leader of the Opposition to say that we've done nothing to back off his terrible legacy and the legacy of—

**The Acting Speaker:** Thank you very much. Questions and comments?

**Mrs. Julia Munro (York North):** First of all, I'd just like to say that unlike the Premier, our leader has not got a helicopter to take him to a meeting that he has to go to in Oshawa; in fact, he will be on the GO train.

I want to take a moment to first of all comment as a GTA member on this piece of legislation. At the same time, I probably have a fairly unique position as well, as



a third-generation Torontonians. Having lived my formative years in Toronto, I have certainly always had a sense of the destiny that Toronto could have. When you look at the years from 1995 to 2003, there were opportunities made to in fact create that world-class urban centre. When you look at the arts endowment, when you look at the SuperBuild initiatives, these were all designed to bring Toronto into that world-class development.

But, as our leader has mentioned, this bill leaves out the taxpayers' perspective. The taxpayers are most interested in accountability and transparency; these are missing. One of the notions about the taxing powers of this bill is to create instant inequities. Other communities are going to look at this and say, "Why not me?" The danger, then, of Toronto having that power is that it creates the kind of circumstances that go to creating the hole in the doughnut.

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** In response to the member, I heard some reference made to how people travel and everything, and consultation. I'm just wondering whether the leader of the Conservative Party, John Tory, will be taking the GO train to the "Up-Close and Personal" cocktail reception on Thursday night at the Bayview Golf and Country Club at 25 Fairway Heights Drive in Thornhill. You would know that it costs \$1,000 a person to go.

*Interjections.*

**Hon. Mr. Bradley:** First of all, I promised the Leader of the Opposition that I would advertise this for him as part of my response. He said yes, he needs the advertising for it. It says:

"We are pleased to host, once again, an 'Up Close and Personal' cocktail reception in honour of John Tory, leader of the Ontario PC Party.... This event will be held on Thursday, April 6, 2006, at the Bayview Golf and Country Club ... Thornhill, from 6 to 8 p.m.

"Last year's reception was a tremendous success, especially as all in attendance had an opportunity to speak to Mr. Tory. This year, Mr. Tory will be available again for personal discussion and is most interested in hearing your concerns and issues. Your continued support will enable ... us to play a major role in ensuring that Mr. Tory becomes the next Premier of Ontario."

*Applause.*

**Hon. Mr. Bradley:** That's where you're supposed to applaud. "Please confirm your attendance to this intimate event by March 10, 2006.

"To reserve ... tickets at \$1,000 each, please call Annette Skamis at 416-495-0375.... Cheques should be made payable to PC Ontario Fund and forwarded to the address below."

This is from Paul Bailey, president of Bazil Developments Inc. He's the co-chair of the dinner.

Now, I know there will be consultation. The Leader of the Opposition promised consultation. I promised to him I would advertise this particular event on his behalf and I know that consultation, at \$1,000 apiece, will take place on Thursday evening.

**The Acting Speaker:** Further debate?

**Ms. Horwath:** It's my pleasure to put some comments on the record regarding Bill 53, the Stronger City of Toronto for a Stronger Ontario Act, 2006. I wanted to start off by referring to some of the pieces that our critic, Michael Prue, outlined when he gave his speech on this particular bill. I wanted to do that because, of course, Michael Prue used to be one of the mayors that represented one of the former municipalities that is now a part of the city of Toronto. He was the mayor of East York. He not only represented that particular community for many years, but then was also elected to represent that area on the broader amalgamated city of Toronto council. So, when the member from Beaches-East York looked at Bill 53, he did so with a significant amount of experience from the perspective of both pre- and post-amalgamation, and pre- and post-download times.

I have to say that, coming from the city of Hamilton and having served on the city of Hamilton council at that same time frame, certainly having served prior to amalgamation and then prior to the downloading, I also have some insights that I'd like to share in the context of Bill 53, in terms of how other municipalities, one just down the highway, one of the ones that I represent, as well as others, experience these issues. It's because of these issues, particularly, that the pressure continued to rise until the province was forced to respond.

Unfortunately, the response is one that we have some problems with. The very first problem that the member for Beaches-East York raised in his comments was the very issue around the consultative process. I raise this because the government likes to talk about its success in engaging in consultation with municipalities around some of the issues that are difficult for them. In fact, the Minister of Municipal Affairs and Housing spent some time waxing eloquent, I think is the way the member for Beaches-East York described it, around how wonderful this consultation was, and how productive and well-meaning and positive the consultation process was.

But I think it's important to put on the record some of the other comments around whether or not the city of Toronto always feels as though this consultation or this aura of co-operation that the government likes to describe is actual reality, or just happens to be once in a while taking effect. I read from the Hansard. The quote is from Michael Prue, but he's quoting another source on the consultation process, and here is what it says: "'Ontario has been a leader in fostering a strong consultative relationship with its municipal sector. We believe that the relationship between the province and the city of Toronto should be one of ongoing reciprocal consultation. The city should be advised of proposed future provincial directions, and we would expect the city to consult with the province,'" on and on and on. So, in other words, the Ministry of Municipal Affairs and Housing put on the record in the Hansard this view of the relationship, this view of the consultative process, what anybody would only describe as a mature and productive way of having a conversation between the province and its largest municipi-



pality. Interestingly enough, anybody reading that out of context would think, "Gee, you know, that makes sense. That's a good way of solving problems, a good way of making sure that everybody's interests are clearly outlined and are on the table before such time as the problem can be solved."

1700

Unfortunately, though, what we are seeing is a very selective application of those principles, a very selective application of that kind of dialogue, that kind of relationship that the minister claims to have with municipalities. In fact, the reality is, and it's something that I learned very quickly when I was canvassing in the by-election in Toronto-Danforth, that relationship went out the door when it came to the issue of a mega-power plant that's being planned for the port lands.

Although I personally have very little specific experience with that, I certainly heard from members of the Toronto-Danforth community, residents in that community as well as former representative Marilyn Churley, as well as people like the member for Beaches-East York and the member for Trinity-Spadina, very engaged Toronto members who are really quite concerned about that power plant. It's interesting that the city of Toronto had come up with, through a very consultative process, through a very engaged community, a solution that they thought was the most appropriate for their community in terms of power generation. Unfortunately, the government decided to ignore all of the consultation that they so often talk about valuing when it was done between the city of Toronto and the community. They also devalue their own commitment to consultation when they turn around and impose their own solution that the residents of the Toronto-Danforth area are supposed to just embrace, notwithstanding the fact that their community had already come up an alternative that was much more appropriate.

So when we hear the government talk about things like a consultative process and respectful relationships and positive dialogue and all of these fancy words to describe the relationships that they apparently have with these other municipalities, you don't need to dig very deep, you don't need to scratch very much of the surface, to find out that in fact it's nothing of the sort and that it's not a consistent relationship. It just depends on whether the government feels like providing that consultation, feels like listening to the community, can be bothered or not to implement the solutions that come from the community level.

From my perspective, that's a huge problem that the government has and it's one that I have learned through the very serious and concerned voice of the residents of the Toronto-Danforth area, to be represented in this House very soon by one Peter Tabuns, who was elected in that riding, a very concerned criticism not only of the plan to pollute their neighbourhood with this plant that the government wants to put in place, but also concern that the government can so callously ignore the extensive work that was done to put together a solution at the

community level with the city of Toronto. So it's not as if there had been nothing done. A great deal had been done; a great deal of effort had been made.

So the bottom line is this: If the government purports to respect consultation and consultative process and engagement in dialogue, then they should respect it at all turns, not just when it's politically convenient or convenient, perhaps, for some other agenda they may have with people they may know who may operate certain facilities or not. The bottom line is, you can't pick and choose and still call it a principle or a value that you hold. If you hold that value and that principle, then it needs to be apparent and obvious in every turn that you take and every activity that you undertake.

I thought it was important to raise that issue, because it's really important that people understand that when they talk about this way of doing things, they don't do it consistently. The government really does fall short in many areas.

There's one other piece to this that I think is important. Bill 53 speaks to the issue of allowing these new powers for municipal council and the city of Toronto, allowing them to choose and create their own governance structure, allowing them to make decisions, in particular having the mayor make decisions around the establishment of committees, the chairing of standing committees and boards and agencies and who the chairs of those organizations will be, with the government through this bill indicating at the beginning of the bill or at certain sections of the bill that this is the new relationship of maturity and trust that they have with the city of Toronto and that the city of Toronto will do the right thing.

I heard the parliamentary assistant speak to that a few minutes ago: "We trust them and we think they are mature enough to make their own decisions." You know what? You don't need to failsafe that, and that's what they've done. They've put in a failsafe that if, for some reason, the government of the day decides, if the Liberal government, the McGuinty government decides they don't like what the city of Toronto is putting forward for its changes in governance—maybe politically they don't like a mayor, not particularly this one but anyone in the future, maybe the government of any day isn't in sync or doesn't jibe with any mayor of the day in the city of Toronto—what Bill 53 allows for is the provincial government of the day to put the kibosh on any recommendations of governance change or other structural changes that the city of Toronto comes forward with.

How can you, on the one hand, say that you're committed to cutting the apron strings, if you want to call it that, that you're committed to letting them go out on their own, and then, on the other hand, say, "We reserve the right to tug them back if we don't like what they're doing." It's either one or the other. You can't have it both ways. If the bill is supposed to be providing this broader opportunity for the city of Toronto's elected officials to act independently, then they certainly don't need to have that failsafe of being able to pull back on any decisions that come forward.



The other issue I wanted to get some time to talk about is what the government didn't do in Bill 53 and what the government has not yet done for the municipality of Toronto or any municipalities that are currently being crushed under the financial problems that exist because of unsolved downloading formulas that were put in place by the previous Harris government.

I have this document from the Association of Municipalities of Ontario on "Ontario's \$3-billion provincial-municipal fiscal gap." We often hear the Minister of Intergovernmental Affairs talking about the federal-provincial fiscal gap. But what we have in the province of Ontario is a very significant and very severe provincial-municipal fiscal gap. In the city of Toronto, every budget year they come to the provincial government and say, "We need money because we simply can't afford to continue to pay for downloaded services because it's causing a crushing problem on our budget."

Guess what? The city of Toronto is not alone in that problem. The city of Hamilton has also got the same concerns. Every year, the city of Hamilton has been, I guess, lucky to get a few dollars thrown their way. In fact, this year, once again the city of Hamilton came, as did the city of Toronto, to ask the government to help with their budget. The reason they have to ask for this funding is because what is happening is that—it's interesting. If I recall correctly, in the city of Hamilton, when the Harris government downloaded, our staff identified at the time about a \$33-million gap in what the government of the day said was a revenue-neutral transaction. In fact, it wasn't revenue neutral for Hamilton. Hamilton was out by about \$33 million.

Finally, at the time, the government of the day acknowledged that and put into place a fund, the CRF—I can't remember what exactly the acronym stands for—community reinvestment fund. Anyway, the CRF was put in place to acknowledge that there is this funding gap. The problem is that, over time, the CRF dwindled and the funding gap stayed the same. In fact, what's happening now is that the funding gap is growing. So if this government was really interested not only in the autonomy of the municipality of the city Toronto but in the autonomy of all municipalities, they would really get at that funding formula problem. They would get at the fact that social services, particularly, should not be funded out of the property tax base.

1710

In fact, the city of Hamilton has done a great deal of work on that particular issue. I have in front of me a package that was sent by the mayor to myself and other local MPPs, as well as to the Premier, the minister and the Minister of Finance. It's basically an open letter, and I'm going to read parts of it. Even though it's specific to the city of Hamilton, it reflects the frustration that municipalities have. I'm using it to illustrate the fact that if you're really committed to making sure that Toronto is independent, then they have to be financially independent as well. They're not going to be able to do that unless they have an ability to make sure that they are budgeting

for the services that belong on the property tax base. Unfortunately, we don't have that situation right now.

One of the things that the mayor of the city of Hamilton wrote in his February 1, 2006, appeal to the province of Ontario is this:

"It is a critical time for the city of Hamilton and its residents. City council is in the final stages of preparing the 2006 municipal budget. Choices that are made during the next several weeks will impact thousands of Hamiltonians as well as the economic and social well-being of the city. Unfortunately, the municipality is once again facing a significant budget deficit resulting from the inability to finance downloaded social services. The implications are grave given that according to Statistics Canada, Hamilton has the highest urban poverty rate in the province of Ontario." In fact, if I can make an aside here, the urban poverty rate is actually equal to that of the city of Toronto.

"For several years, the municipal government, local businesses and community stakeholders have been highly critical of the previous provincial government's decision to download social services to municipalities in the late 1990s. Ontario is one of the only jurisdictions in the G8 that funds social services through the property tax base, a formula that leaves funding extremely vulnerable to local economic downturns. Downloading was supposed to be revenue neutral, but for Hamilton this local service realignment has resulted in a significant annual shortfall. Programs and services that assist our community's most vulnerable members are placed in jeopardy while local ratepayers continue to shoulder social service downloading's financial burden."

The letter goes on to talk about the fiscal gap that Hamilton has, which is \$25 million. I believe Toronto's was \$212 million this year. The one in the city of Hamilton is growing. I believe the one in the city of Toronto is growing as well. So the solution that needs to come from this government is a systemic solution to this problem that we have, because it is simply not sustainable for municipalities, whether they be the municipality of Toronto, the municipality of Hamilton or any other municipality for that matter. It is simply unrealistic. It's not sustainable. And it is not adequate in terms of the talk about independence for these municipalities, about giving them greater powers to be more independent from the provincial government when in fact financially there is absolutely nothing they can do to maintain their independence if Ontario does not deal with the problem of social services, public health, drug plans and other social-service-type costs on the property tax base.

In their discussion paper, AMO—the Association of Municipalities of Ontario—speaks very clearly about this same issue. Their concern is exactly the same. What they say quite clearly is that social services do not belong on the property tax base. Income distribution programs belong on the income tax base. It's very basic. They don't belong on the property tax base. Until the government decides to fix that, there's forever going to be a problem with the relationship with municipalities,



because at budget time they are absolutely frozen in time until they hear whether or not the government is going to open the purse strings and help them out, because the system is in fact broken.

I wanted to raise quickly as well, because already I'm running out of time, the other piece of the system that's broken, and that's the municipal property assessment system. I have to tell you, those two things in combination are a double whammy for municipalities. I'm concerned, because I'm not hearing from the government—certainly, I'm hearing, after we put some pressure on, that they're prepared to have a 90-day extension; in fact, we're starting the 90-day extension of the appeal time for property tax assessment. But I've got to tell you, in the city that I represent—and I know the same happened in Toronto–Danforth; people were talking about that as well, so the city of Toronto has big problems with property assessment as well. In the city that I represent, in particular ward 1, which is in Hamilton West, and another area in Hamilton West, which is Hamilton West Mountain, ward 8, have significant and very troubling assessment hikes for the properties in those particular areas. We're talking about situations where people have a 45%, 55% or 65% increase in the value of their properties. They fall off their chair when they open up the assessment and find these horrendous increases.

Further to that, the cost of actually having to make the appeals, and the time and expertise that it takes to make a successful appeal, have been very frustrating. As we all know, the Ombudsman was scathing in his critique of the property assessment system. So it's incumbent on this government to solve another big piece of the problem that municipalities have: the issue of municipal property tax assessment.

Mr. Speaker, there are many other pieces to Bill 53 that need to be raised, but unfortunately I've run out of time. So I'll have to take my seat and thank you for the opportunity to join the debate on Bill 53.

**The Acting Speaker:** Questions and comments?

**Mr. Sergio:** I'm very pleased to see the debate, the discussion going very well and in a very positive manner. I'd like to thank the member from Hamilton East and all the other speakers who have addressed the positive side and the benefits of the bill.

I would like to remind the House that we have this tremendous opportunity to move on and give the city of Toronto all the tools it requires, whatever it takes, so they can move on and get on with their work and conduct their business in a very successful manner. For that, I'm very pleased.

Let me say that if the bill has come this far, it's because the Premier has recognized the importance of giving new tools to the city of Toronto, and also has recognized the challenges that the city is facing. With this bill, we are by no means going to solve their problems, but I think it's going to go a long way in assisting the city to conduct its business in a much better fashion. It's because of this understanding that the Premier has

and the minister has, especially with his municipal background and experience, that the city has been supported in terms of millions of dollars in assisting the city, especially with \$350 million in supporting the TTC and another \$365 million coming from the gas tax to the city. It's because of the relationship that the Premier has developed with the city of Toronto that we are better understanding the situation that the city is in and the need to provide necessities for infrastructure. We are very pleased that the city of Toronto has come a long way in working with the Premier, the ministers and the House as a whole. We hope that this will continue and we will see this bill go through as quickly as possible.

**Mr. John Yakabuski (Renfrew–Nipissing–Pembroke):** It's my pleasure to speak to this debate this afternoon as well.

One of the problems is the government is trying to cover up the fact that it has never dealt with the fiscal imbalance between municipalities and the province. I'm not talking about just the city of Toronto because, quite frankly, I come from a rural riding and one of the problems in the city of Toronto is the fact that spending here is out of control: a 46% increase in the number of people in the city of Toronto making \$100,000-plus a year in the latest revelation issued the other day.

This bill is about more taxation. I believe in the taxpayer. I believe in supporting the taxpayer once in a while. Every time we turn around and try to find another way that we can take more money out of the taxpayers' pocket and give it to government of any kind to spend is not a move in a positive direction as far as I'm concerned.

We're always looking for a way to grow government. This government, with its latest budget—which is, as you know, out of control—had every opportunity to balance the budget, should have balanced the budget, could have, and chose not to.

1720

Now we see that same kind of mentality from this government. They want to pass this on to the city of Toronto, which is, granted, in a difficult fiscal position, but let's take a closer examination of what goes on in this city once in a while, from the mayor's office down, with regard to spending in the city of Toronto. I think you might find that there's some accountability necessary in that regard as well. They should have to operate themselves like some of our small municipalities in rural Ontario have to operate. They should have to live under the constraints of municipalities like the ones in my riding that don't get any of the gas tax money that the larger cities get from this government. This government has refused to support rural communities. But more taxation is simply not the answer. Accountability at every level of government is the answer.

**The Acting Speaker:** Questions and comments? The Minister of Children and Youth Services.

**Hon. Mary Anne V. Chambers (Minister of Children and Youth Services):** Thank you, Mr. Speaker, for recognizing me. I rise to speak not just as



the Minister of Children and Youth Services but as a representative in this Legislature for the people of Scarborough East. Scarborough East is one of five Scarborough ridings. If you speak with people there, they would agree with members who have suggested that amalgamation was not the greatest thing for some people in Toronto.

I should also hasten to suggest that when some of my colleagues in this House speak of Toronto as “they,” I actually speak of Toronto as “us.” I see Toronto as one of the major economic drivers of this province. I see Toronto as the place where, every year, some 60% of new immigrants who enter this province choose to set up their roots. I see opportunities, I see talent and I see a very significant need for greater respect and greater support and collaboration to ensure that in fact we do have the world-class city that this city of Toronto is capable of being. I see, for example, in Scarborough the commitment in this year’s budget of \$1 million for the environmental assessment to replace an outdated and overburdened LRT. I see underserved areas, as defined by the United Way of Greater Toronto and the city of Toronto: 13 or 14 areas of this wonderful city where communities do not have access to the types of services their young people require.

I am pleased to be a part of a government that recognizes this wonderful city.

**The Acting Speaker:** Time for one last question or comment.

**Mr. Hudak:** I’m pleased to respond to the comments from my colleague from Hamilton East, who gave a very interesting overview of the situation that faces the province today and the challenges that municipalities face in the delivery of services. While my colleague from Hamilton East and I will not always agree on how to approach those issues, I think she does bell the cat, so to speak, that the issue is how best to align services between the provincial, municipal and/or federal governments and how to best align revenue sources with that, as opposed to a bill which really, at its heart, brings in a new regulatory environment and brings in new taxes but does not address the central issue that we hear about all the time from municipal leaders, and business leaders in municipalities as well. So I appreciate the member’s comments.

To my colleagues across the floor as well, though, they talk about the City of Toronto Act, which brought together the various constituent municipalities into one city of Toronto. If they found that legislation as repulsive or, as someone described it in this Legislature, as evil or something like that, then undo it. You certainly have the votes to do so. You all say that you oppose the legislation, so put your money where your mouths are and bring the bill forward and undo it and bring back the original cities.

The taxpayers in other parts of the province, including those in the rural parts of Hamilton, I’d say to my colleague, had heard certain promises from the McGuinty government that they would de-amalgamate the Hamilton area. I think they heard this in Kawartha Lakes—“Only if

you vote for the Liberals, we’ll de-amalgamate”—but like so many who put their trust in Dalton McGuinty, they found out that once he had the keys to the Premier’s limousine, those promises, like so many others, went right out the window.

**The Acting Speaker:** The member for Hamilton East has two minutes to reply.

**Ms. Horwath:** I wanted to thank the members from York West and Renfrew–Nipissing–Pembroke, the Minister of Children and Youth Services and also the members for Scarborough East and Erie–Lincoln for their comments.

I have to say it’s interesting, because one of the issues that was raised is the extent to which Toronto got its new taxing powers. I can recall when this debate first started, when the bill was introduced last year, I got an e-mail from one of my constituents in Hamilton East, who said, “I’m really worried because I hear this new City of Toronto Act is coming forward and they’re going to give the city of Toronto new taxation powers. I’m really worried because we’re taxed to death in the city of Hamilton and we just can’t afford to continue to see our property taxes increase. I’m just afraid that if our local council gets the opportunity to have further taxing powers, it’s just going to be the end for us. We’re not going to be able to take it.”

It was an interesting conversation, and I think where she was coming from was the concern that is reflected when we talk about things like downloading and inappropriate services being paid out of the property tax base. I don’t think her frustration was so much for the city council and a fear of their inability to make wise decisions; it was coming more from the fact that they don’t have the ability to make those decisions because they don’t have the room in their budget to set them on municipal priorities that should be at their taxing level. Instead, their budgets are burdened by pieces that don’t belong on the municipal property tax base. So that puts the city in a very difficult position, year after year, at budget cycle.

I want to thank the members who had an opportunity to respond to my comments. I look forward to the day that this Liberal government keeps its promise to municipalities by getting rid of the downloading and uploading it.

**The Acting Speaker:** Further debate?

**Mr. Bas Balkissoon (Scarborough–Rouge River):** As a former city councillor for the city of Scarborough, a city that was amalgamated into the city of Toronto, I’m very proud to speak in support of Bill 53.

Let me start by saying that the forced amalgamation that occurred in 1997 failed everybody. It failed the politicians; it failed the citizens of Scarborough and the citizens of Toronto. I will give you some examples. Our Scarborough public utilities had a \$90-million surplus that disappeared overnight. The city of Scarborough had \$115 million in surplus and it disappeared overnight. When the new city of Toronto was amalgamated, it had a debt load of \$600 million that came from the former city of Toronto, East York, York, Etobicoke and the Metro-



politan Toronto government. Today that debt load is over \$2 billion, all as a result of the downloading. Some speakers prior to me said that this government should have taken the initiative and undone amalgamation. But it has gone too far. You can't undo it. It's impossible and it's not going to be cheap if you even tried.

This piece of legislation is a landmark for our province's capital city, the largest city in Ontario and the largest city in Canada right now. Forced amalgamation has occurred. You have to live with it but you've got to fix it. I would have to say to you that the previous Municipal Act, when the city of Toronto was not amalgamated, probably worked well for all of us. But now that the city of Toronto has 2.4 million or 2.5 million people, one size does not fit all. The previous act is not functioning well. The new city needs to have its own control and it needs some powers so that it can move forward.

1730

Many have recognized the Premier and the minister for their leadership, vision and hard work in making this legislation possible. I attended the announcement, when the legislation was going to be tabled in the House, with the Premier and the mayor of Toronto. There were many members of this Legislature there from the Liberal caucus and there were members there of the city of Toronto. To be honest with you, there were members from all sides. They were all supportive and they were all excited. In fact, the mayor of Toronto was very positive about this piece of legislation.

The legislation was done jointly with the city. There was a joint task force that studied all the issues at the city of Toronto, studied how the province related to the city of Toronto. What is in front of us is a result of those consultations between the city staff and the provincial staff.

One of the key parts of the legislation also was consultation with the public. Let me tell you, I was present with many of my current colleagues at the Scarborough Civic Centre, where this consultation took place via the Internet across the entire city of Toronto. The people who participated in that consultation felt they were engaged, that they were given a chance to give input and that everybody was listening. If you speak to anybody right now on the street, they will tell you that amalgamation did not work and that whatever we can do to change the legislation, to give the city the powers it needs to survive and move forward, go ahead and do it.

Our government understands that making Toronto work is crucial to the well-being of our entire province. The City of Toronto Act is an essential cornerstone for the city to realize its potential. It represents both a huge step forward and recognition of Toronto's unique position in this country.

This piece of legislation deals with something that is very important to city councillors. As a former member of the city of Toronto council, I can tell you that many of us were very concerned that, with the change of boundaries at the federal level—the province will have to follow suit because you have legislation that reads the

same—we, the city of Toronto, would have to fall into that same process because that's what the previous government did when it amalgamated Toronto. Let me tell you what they did with the boundaries when they amalgamated Toronto. They actually took boundaries that divided neighbourhoods in half, and a lot of people who lived in those neighbourhoods were very upset. The local council is the political body that's closest to the people. They deal with the delivery of services on a daily basis. They touch lives on a daily basis. It's important to protect communities. When you come along and you draw a boundary right down the middle of someone's community where they have community organizations that look after the well-being of that community, it's very upsetting to those neighbourhoods. I can tell you, in my own riding, as a city councillor, there was a definite threat for that to happen, because in the federal realignment that's exactly what happened. They divided a community and it now has two different MPs, and it's very confusing to the residents.

This piece of legislation gives the city broad permissive powers to determine the composition of its council and its ward boundaries. I'll tell you, that is very, very important to the local council. It also provides the city with the ability to delegate more powers and responsibilities to its committees and boards. A perfect example that will take place with the legislation is that the committee of adjustment's decisions will be appealable to a local body, not to the Ontario Municipal Board. That is a very key part of this legislation. In fact, we should all be very proud of that because it would reduce the workload of the Ontario Municipal Board, and that way, you would get decisions made at the local level that serve the local people. In fact, the committee of adjustment—those who are familiar with local cities will tell you that many developers use that process to get additional things for their development that they normally would not have gotten through the official plan process and the zoning process. They actually use that process to their own benefit. That upsets communities. But now, if you have a local body ruling on that, where residents in the area will rule on committee of adjustment decisions, I think you will get better government.

I am very, very proud of one part of this legislation. I was the chairman of the audit committee of the city of Toronto for four and a half years. I was a key figure and an instrumental person in bringing in the Auditor General at the city of Toronto.

That has been done by a city bylaw. A bylaw can be rescinded by any new council with a stroke of a pen. I am very proud to see that it's now being put in provincial legislation so that the city cannot get rid of it very easily. Many of you, as a result of my work on the audit committee in the city of Toronto, are familiar with what has taken place in terms of accountability.

I have to say I'm really very proud that this piece of legislation allows for the establishment of lobbyist registry rules. The Integrity Commissioner was created by the city of Toronto and now it's going to be in legislation. The other part is that if the city ever wants to



create an Ombudsman's office, which other municipalities across Canada have done, it can do so.

I think the public in Ontario is going to be very proud of this government for the step we are taking here. Let me say to you that many speakers prior to me complained about how we were not doing enough to give the city the tools in terms of financial resources. Look at what this government has done in terms of the TTC. We have actually uploaded what was downloaded in the past. The previous government refused to participate in the operating cost of the TTC after the year 2000. This government is getting back to the table. We have actually given money to the TTC for their operating budget; we are actually giving them gas tax and on and on. I could carry on.

Let me say lastly, though, that while we have made significant accomplishments, we as a government know there's more to be done. As the city moves forward, we will continue to have dialogue with it; we will continue to try and make the process work. The minister has put that in the piece of legislation because we want to have a relationship with Toronto. We do not want to operate as the previous government; we really want to see the city grow. We want to give the city a chance to be recognized as a world-class city, able to compete in the global market in the future.

The colleagues I left in the city of Toronto will be very proud of this piece of legislation.

**The Acting Speaker:** Questions and comments?

**Mr. Norm Miller (Parry Sound-Muskoka):** It's my pleasure to have some comments on the speech of the member from Scarborough-Rouge River. He was speaking this afternoon on Bill 53, An Act to revise the City of Toronto Acts, 1997.

I think it's safe to say that we all agree it's important that Toronto do well, not just for Ontario but for Canada. Toronto is a beautiful city. It faces some real challenges. It is important for the country that it succeed and be prosperous.

I would question, as our leader said in his speech this afternoon, whether the cart is before the horse, whether we should be looking at efficiencies within the city of Toronto and addressing some of the cost factors in the city before we look at raising new taxes. As the member from Scarborough-Rouge River stated in his speech, it's important that Toronto be competitive with the rest of the world. I would say that putting extra taxes on things like liquor sales and entertainment, and adding more red tape and more permits, is not necessarily the way to make Toronto more competitive.

We need to look at the fiscal imbalance between the provincial government, the federal government and the municipalities, and that applies not just to Toronto but to many small municipalities. I have over 20 municipalities in the riding of Parry Sound-Muskoka and they all face real challenges. We need to think about them as well.

1740

**Ms. Horwath:** I'm actually putting my very big, thick copy of Bill 53 back into my binder.

One of the things I found interesting in the remarks made by the member from the Liberal caucus, speaking about Bill 53 for about 10 minutes, is that there's something we can all agree on, and I think it was raised by the Minister of Children and Youth Services, and that is the importance of the city overall. I know that the NDP caucus is particularly helped along in that perspective by the number of members we have from the Toronto area, certainly a good, strong understanding of the city of Toronto, not only in terms of what it does for the broader province in terms of the economy and other features, being the capital of the province, but also, I have to say, the issues raised around the way that the economy is so delicate.

I can recall reading through the Hansards, just to see what some of the other members of our caucus had to say about this particular bill. Interestingly enough, one of the members who joined us just a moment ago, the member from Niagara Centre, spent some time talking about the very issue that was raised by the previous speaker, and that is the concern he heard from service providers, particularly in the restaurant sector, around what added taxes might do to their community's ability to compete and, particularly, to attract tourists. I know that the city of Toronto, through discussions with my colleagues who represent these areas, has had some concerns about declining tourism. Again, we want to be really careful about the extent to which we would encourage anything at all that would reduce competitiveness, particularly in the tourism sector.

**Mr. Duguid:** I want to thank the member for Scarborough-Rouge River for his comments today. The member has a very distinguished background in serving the public in municipal office, originally in the former city of Scarborough and then in the new amalgamated city of Toronto. He has insight like many of us probably wouldn't have. I happened to have served with him a number of years, and his insights and his vision for this city are something very much worth listening to.

The member knows why we're doing this. Some people may ask why we are coming forward with a new City of Toronto Act. Toronto is operating in an environment right now where they're handcuffed by a lack of autonomy. Frankly, they've been put in an uncompetitive position with other cities their size internationally, and that's why it's important that we provide this city, through this legislation, with the autonomy they need, the flexibility they need, to make the tough decisions they're going to have to make to bring this city forward into the future.

It's also important that they have access to alternative sources of revenue. It's also important that there's an aspect of accountability with regard to this bill. Going back to the autonomy, when you look at things like controlling the setting of hours in bars for liquor licences, when you talk about licensing in general, and when you talk about things like speed humps, when you talk about setting standards for architectural design in this city, when you talk about the ability to delegate authority to committees, when you talk about things like setting their



own ward boundaries, these are things that cities around the world have the ability to do, but Toronto has always had to come to the province and ask for permission to do that. That's not right.

The opposition will talk about the revenue-generating sources as new taxes. What they're not looking at is the ability, because they also complain about the use and the predominance of the property tax for Toronto taxpayers. This bill gives Toronto the ability and the flexibility to offset some of those property taxes with the—

**The Acting Speaker:** Thank you very much. We have time for one last question or comment.

**Mr. Yakabuski:** I'm pleased to comment on the speech of the member for Scarborough–Rouge River on this City of Toronto Act.

We don't have very much time in these little two-minute hits, if you want to call them that, but again, it always seems to be that we want to make government bigger.

**Mr. Hudak:** They do.

**Mr. Yakabuski:** The Liberals, of course: "Let's make government and bureaucracy bigger." They're saying we have to find ways to give governments—the city of Toronto is not the council of the city of Toronto; the city of Toronto is the people of the city of Toronto. Why are we always looking for a way to give governments more ways to increase the size of their bureaucracy? Of course, they've gone up by 46% in the number of people working for the city of Toronto who made over \$100,000 a year last year, but what about the taxpayer? You know what? The taxpayer has got a revenue problem. When are you people over here and over there, the rump of the party here and the government side over there, going to recognize that the taxpayer has got a revenue problem in the city of Toronto, as well as in the province of Ontario?

But what did they do when they had a chance to act responsibly? They ran a bogus deficit because it was in their political interest to do so. It's the same kind of mentality when you're looking to go to the people of the city of Toronto and say, "You've got to pay, pay, pay more." That's not the way the taxpayer sees it in this world anymore. They look at government and say, "It's big enough. It spends enough. It takes enough. It has to act in a more accountable fashion."

Across the board, we've got to stop trying to—you know, switching who pays for what is one thing. But stop always trying to hit the taxpayer with more taxes. They can't afford it.

**The Acting Speaker:** Thank you very much. The member from Scarborough–Rouge River has two minutes to reply.

**Mr. Balkissoon:** I want to thank my colleague from Scarborough Centre, who served on Scarborough council and the city of Toronto council with me, and the member for Renfrew–Nipissing–Pembroke.

I just want to remind everybody that the first city of Toronto council had 57 members. It was the elected members of the council, who were responsible politicians looking for efficiencies, who actually worked with the provincial government of the day and reduced the council

to 44 plus a mayor because we recognized that 57 was too big and it wasn't working.

I think this piece of legislation will work. I respect my members on the city of Toronto council that I left. I respect the fact that they will continue to do a good job, and I respect the fact that the public that elected them will hold them accountable. They know what it takes to be elected; therefore, they will do what's right for the citizens within their ridings.

I have to say that the city has grown and matured. It's about time the province respected that. It's about time for the province not to treat the city of Toronto like an orphaned kid, because that's how it has been done in the past. It's about time we respect the city. It's in the same league as many large cities around the world. We should allow it to grow and give it the tools to do the job of representing the citizens of that city.

The city of Toronto itself has all the tools it needs. To be honest with you, I think the members of that council will look at the tools we've given them and use them to improve the financial situation in the city and therefore become a real world-class city.

**The Acting Speaker:** Further debate?

**Mr. Hudak:** I listened attentively to the members of the government side to help me better understand Bill 53. Now, listening to the debate—speed bumps and night closings of bars. If only we give Toronto the ability to, I guess, speed up the elimination or new speed bumps and allow the city of Toronto to set bar hours, then we're going to solve all the problems in the city of Toronto and make it a world-class destination.

**Mr. Jeff Leal (Peterborough):** What about the Homestead Act?

**Mr. Hudak:** I'll be glad to talk about the Homestead Act, some real solutions to the challenges faced by property taxpayers.

But I'm tired of this notion that if only we did something about speed bumps and late night bar closings, Toronto would become a world-class city. It's such a superficial argument I'm hearing from the members opposite. When I hear about the tools, all I hear about is bar hours and speed bumps, and, well, construction design, a more interesting topic.

1750

*Interjection.*

**Mr. Hudak:** He says it's permissive. But the real issue—my time is going to be split, unfortunately—the real problem, I'll say to my friend from Willowdale, is the growing hole in the doughnut, the exodus of jobs from the city of Toronto to the greater Toronto area, generally to the 905. That's the real issue that should be addressed in this legislation: the hole in the doughnut. It's a real issue. This really should be called, because of the taxation, the weaker Toronto for a stronger GTA bill. Now maybe the Mississauga members here and the Brampton members and the Durham members have convinced Premier McGuinty to further weaken Toronto and put more jobs in Mississauga, Brampton or York. I know the power of the former finance minister; maybe he had a bug in the Premier's ear. But this notion that you



have a business community already heavily burdened in the city of Toronto, which has caused a significant exodus of jobs over the past 10, 15, 20 years, and you're going to put higher taxes on top of them through government policy and Bill 53—how is that a solution to what ails the city of Toronto?

We in the Progressive Conservative caucus want to see Toronto do well. We want to see it as an ongoing engine of growth for our province and our country, the provincial capital, the largest city in our nation. We want it to succeed and we want more jobs to be created in the area, but my goodness, you tell those businesses that have packed up and left for McCallion country, or I listen to the advertisements on the radio for Vaughan, and you tell those businesses that have packed up, "Boy, we're going to get rid of those speed bumps, and council is going to move on speed bumps a lot faster," that's not going to bring jobs here to the city of Toronto. That's not going to help increase the assessment base, for example, that would then make municipal services more affordable in the city of Toronto. Why in the world you would want to chase out even more jobs through increasing taxes in the city is beyond me. I have yet to hear from the opposite side any kind of compelling vision about how Bill 53 or their approach in the city of Toronto is going to make a stronger city or a stronger engine of growth.

We certainly hear a lot about what I guess we would call inside baseball, some mechanics about how often you have to run to the province on speed bumps and bar hours. But unless you address the real issue about taxation, particularly the taxation on business, commercial and industrial classes, chasing them out of the city, this bill may as well be called the weaker Toronto for a stronger GTA act. Maybe that is the secret plan of the conspiring Brampton and Mississauga members, and the member for Vaughan.

There's a lot of material on this that I won't be able to get through tonight, given the time frame, but look at some of the reports: the Toronto Board of Trade, for example, Enhancing Toronto's Business Climate, and A Business Retention and Growth Plan for the City of Toronto, September 2005, a relatively fresh document.

I direct members to page 4: "Compared to other North American and GTA cities, Toronto is uncompetitive. On an international basis, there is a good case that the greater Toronto area offers a positive climate to conduct business. However, once business firms decide to locate in the GTA, one look at the city of Toronto's uncompetitive tax rates all but ensures they will locate in the surrounding '905' municipalities. By many measures, Toronto's property tax burden on business exceeds that in most other Canadian and US cities. Simply put, while the GTA is cost competitive, the city of Toronto is not."

"Toronto's unemployment rate, as illustrated in the chart," on page 4, "has increased from 6.4% in 2000 to 8.4%," in the previous year, in Dalton McGuinty's Ontario.

Please tell me how increasing taxes, as Bill 53 does, is going to help address the major structural issue facing the city of Toronto and its ultimate success?

Page 5: "Toronto has among the highest business property taxes in North America."

"Commercial taxes."

"As illustrated in the chart on the right," page 5, "Toronto's office taxes are higher than any other major North American city based on taxes per square foot. Toronto's downtown has the fourth-largest concentration of office space in North America. Uncompetitive taxes, higher than in New York"—the board of trade, higher business taxes in Toronto than in New York—"and triple that in Atlanta," a growing and booming community in Atlanta, "threaten this advantage by repelling business and jobs from Toronto's downtown."

Interestingly, one of the early moves by Dalton McGuinty and his then finance minister from Vaughan, who is conspiring to move jobs from Toronto to York region, I suggest, was to remove the hard cap. The hard cap at least kept the taxes down in the city of Toronto to attract more enterprise, to attract more commercial and industrial assessment, and therefore more jobs for the residents of Toronto—the hard cap in place. One of the first moves by the conspiring Minister of Finance from York was to take off the hard cap to allow business taxes to go even higher. You heard what I said about Atlanta and New York City. Could you believe it? I couldn't believe it. It's what the board of trade says. And the Minister of Finance from Vaughan, conspiring to take business from here to York region, took off the hard cap.

**Mr. Bob Delaney (Mississauga West):** On a point of order, Mr. Speaker: On three separate occasions, the member from Erie—Lincoln has alleged a motive by the member for Vaughan—King—Aurora, and that's specifically prohibited under the standing orders. While he's welcome to have whatever opinion he wishes, to impute a motive to the member is contrary to the standing orders.

**The Acting Speaker:** I don't find that the member has imputed motive. I'll return to the member for Erie—Lincoln.

**Mr. Hudak:** Thank you very much, Mr. Speaker. No, I did not, and I appreciate the member's intervention. Coincidentally, a member from Mississauga is challenging my remarks that this bill is going to drive more jobs to Mississauga and out of city of Toronto. He's standing up for his riding, but I'm going to suggest—I won't impugn—that his motive is to support this bill to drive more jobs out of Toronto in Dalton McGuinty's Ontario, and he's hoping they'll set up in Mississauga. You can't blame him, but that's what this bill will do, with these higher taxes and Dalton McGuinty's approach on the hard cap, particularly. Maybe he'll raise another point of order, but I think the member's interruption of my speech will reveal that conspiracy by the members from Mississauga, together with the member from Vaughan, to move jobs out of Toronto, which this bill, if passed, will do.

I know my time is running short, and I have many other remarks to bring forward from the board of trade, for example. The JOBS Coalition has concerns as well. Our leader, John Tory, spoke very eloquently earlier this afternoon about his vision for Toronto, a real vision to



make it an even more dynamic city, to attract more jobs and more investment, to attract more people and make sure that when they do arrive here, they will find work in a competitive and dynamic commercial and industrial environment. With a higher assessment on the base, you'll see even greater wherewithal for the municipality to invest in local services, cultural tourism, infrastructure etc.

I know my time is running short. Therefore, at this point in time, I move adjournment of the debate.

**The Acting Speaker:** Mr. Hudak has moved the adjournment of the debate. Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

## GOOD GOVERNMENT ACT, 2006

### LOI DE 2006

### SUR LA SAINE GESTION PUBLIQUE

Mr. Bradley, on behalf of Mr. Bryant, moved second reading of the following bill:

Bill 190, An Act to promote good government by amending or repealing certain Acts and by enacting one new Act / *Projet de loi 190, Loi visant à promouvoir une saine gestion publique en modifiant ou en abrogeant certaines lois et en édictant une nouvelle loi.*

**The Acting Speaker (Mr. Ted Arnott):** Debate on the bill?

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** I'll be sharing my time with the member from Willowdale.

**Mr. David Zimmer (Willowdale):** I'm pleased and proud to take part in the debate on second reading of this bill. If passed, the Good Government Act will help ensure Ontario's laws are clear, current and relevant. If passed, the Good Government Act would strengthen the efficiency and effectiveness of government operations. This proposed legislation would modernize laws and regulations to reflect technological advancements. It would also clarify outdated and complex legislation. Bills like this one have become a regular feature of the Ontario Legislature, and this approach has become a model for several other Canadian jurisdictions as well. In short, they are a necessary element of good government.

Previous governments introduced and passed similar bills. The first bill of this kind was introduced and passed in 1994. Since 1997, there have been 14 earlier house-keeping bills that were passed by the Legislature. The most recent bill, in 2002, called the Government Efficiency Act, contained 400 minor technical amendments to approximately 60 statutes belonging to approximately 15 ministries. This present bill includes more than 550 items of legislation from 16 ministries, including some 50 changes to the Ministry of the Attorney General. Most are technical changes to existing acts, designed to im-

prove clarity, update names of organizations, rationalize administrative processes and update the language of the law to reflect modern practices.

### 1800

In some statutes, we are also proposing to modernize terminology to eliminate out-of-date or offensive ideas and language. For example, as a part of a general review of the language in various statutes referring to mental capacity, an amendment to the Interpretation Act would remove outdated and now, frankly, offensive terms relating to mental incapacity.

The Interpretation Act, in turn, defines the terms for use in other statutes as well, and these terms would be removed from those statutes where they appear. For example, terminology in the Real Property Limitations Act and the Trustee Act would be changed. These changes would comply with the Ministry of the Attorney General's accessibility plan under the Ontarians with Disabilities Act.

By amending the Public Inquiries Act, we would be ensuring that the report of a public inquiry must be released simultaneously in English and French, unless public health and safety require an immediate release.

In addition, we are proposing to clarify the law and certain administrative procedures in unique situations. Proposed amendments to the Freedom of Information and Protection of Privacy Act and the Municipal Freedom of Information and Protection of Privacy Act would allow disclosure of personal information about a deceased person to a spouse or close relative in very limited compassionate circumstances.

Amendments to the Substitute Decisions Act would allow a guardian of an incapable person to get information about that person.

Still other statutes need to be amended to respond to judicial interpretation of the law. For example, the Execution Act would be amended to clarify that if a car is worth more than the exemption amount of \$5,000, the creditor can sell the car and give the debtor the exemption amount out of the proceeds, as with other assets.

This bill is extensive. That's why we have provided MPPs on all sides of the House with an opportunity to be briefed on the proposals before introduction, and a time to reflect on the information and provide feedback to the government. We wanted to give all members a better sense of the amendments, some of which can be very technical in their nature.

We are introducing this act to make our laws better and to better serve the people of Ontario.

**The Acting Speaker:** Questions and comments? Further debate?

**Mr. Robert W. Runciman (Leeds-Grenville):** Just a few brief comments from the Progressive Conservative caucus. We appreciate the way this legislation was dealt with. This is essentially a housekeeping bill; a "red tape bill" is what we called them in the previous government. We had a Red Tape Commission to try to attack the proliferation of red tape in the provincial government, a commission that was disbanded by the Liberal government when they assumed office.



I just wanted to comment on the process here. We were given, as opposition parties, the opportunity to be briefed by a variety of ministries with respect to proposed changes: the elimination of regulations and so on, and some legislative changes. We made our recommendations and essentially they were accepted, and the bill can go forward. It's regrettable that we don't see more co-operation along those lines.

I want to once again mention that it is difficult—we had a House leaders' agreement with respect to the scheduling of this Legislature which was agreed to by all three House leaders prior to Christmas. People made plans based on that agreement and, regrettably, after the House rose, the government announced, "Oh, by the way, we're coming back early," which certainly created difficulty. I assume most of the members of the government benches were apprised early of the change. But we had a budget delivered in this House when many of the opposition members, because of commitments made based on that agreement of all three House leaders, could not be here, and it's truly unfortunate, whether you're on the opposition side of the House or not, to not have the opportunity to be present for the tabling of such an important document. That's the sort of thing that I think tends to sour the atmosphere in this place.

We saw that activity by the former House leader, Mr. Duncan, last week with respect to legislation related to MPAC, the Municipal Property Assessment Corp., where we again had a House leaders' agreement; the Minister of Finance got up and performed his little theatrics in this place, calling for immediate passage of second and third readings, despite the agreement of House leaders in terms of when we would deal, the following day, with second and third readings of the legislation and debate it, and had agreed to pass it in an expeditious manner.

That, in contrast to the way this particular legislation has been dealt with, I think is quite stark. I would encourage—certainly I think the House leaders' intentions are for improved relations. I think both the House leader of the third party and myself believe that strongly. But some of his colleagues perhaps don't share that view, and certainly some of his colleagues in the corner office, the Premier's office, clearly don't share that view. Hopefully, that attitude will change if they receive encouragement from others on the front bench and on the backbench, or I think the atmosphere in this place will continue to deteriorate, and that will indeed be unfortunate.

**Mr. Peter Kormos (Niagara Centre):** First, I really want to thank and congratulate the parliamentary assistant to the Attorney General for taking a dry, tedious piece of highly technical legislation and breathing life into it with his animated tour through this bill. Here is an experienced courtroom lawyer who certainly knows how to provide colour when it's otherwise bleak, how to give freshness when it's somewhat odoriferous. Although I don't necessarily agree with everything he said, or even

necessarily believe everything he said, I'm grateful that he kicked off this debate with the passion that he demonstrates so often here in the chamber, in committee and, I have no doubt, not only in caucus but when he's standing in front of the Premier at the Premier's desk, aggressively pointing at the Premier, insisting that things be done the proper way. In that regard I understand his frustration and his disappointment, but I encourage him to continue that good work as a member of this Legislature.

This is an omnibus bill; make no mistake about it. It's not the biggest omnibus bill we've ever been confronted with by any stretch of the imagination, but I want to repeat my concern around omnibus bills. It's not a healthy, not a good way to pass legislation. What inevitably happens is that it's like peeling back the layers of an onion: You think you've found the bad spot and sure enough, sure as God made little apples, you dig a little deeper and something else jumps out at you.

So the New Democrats, like the Conservatives, have gone through this bill and expressed concern about any number of sections that we've specifically conveyed on to the government. The bill is going to go to committee. That's a certainty. There are sections that are going to have to be submitted to committee process in terms of explanation, and more importantly, public explanation and public contemplation about the impact. We may well find more stinkers, if you will, in the bill when it's in the committee process.

But I'm looking forward, on behalf of the NDP caucus, to doing that committee work. I know it's going to be exciting, I know it's going to be challenging, and I look forward to the full complement of Liberal members sitting at that committee desk, devoting their undivided attention to this committee work.

I also encourage members of the public to take a look at the bill and to make sure that they gain access to that committee to give that committee their inevitably valuable advice.

So the bill, I trust, will be referred by the parliamentary assistant today after undergoing a second reading vote, but a second reading vote; it still has third reading after the committee work. I look forward to the challenges it poses in that new venue.

**The Acting Speaker:** Questions and comments? Further debate?

Mr. Bradley has moved second reading of Bill 190.

Is it the pleasure of the House that the motion carry? Carried.

Shall the bill be ordered for third reading?

**Hon. Mr. Bradley:** I refer this bill to the standing committee on social policy.

**The Acting Speaker:** So ordered.

It being past 6 of the clock, this House stands adjourned until tomorrow at 1:30 p.m.

*The House adjourned at 1811.*

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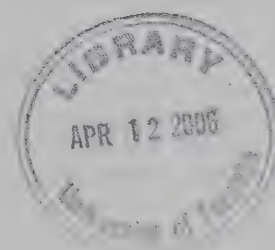
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# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Wednesday 5 April 2006

Mercredi 5 avril 2006



Speaker  
Honourable Michael A. Brown

Président  
L'honorable Michael A. Brown

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## LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 5 April 2006

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 5 avril 2006

*The House met at 1330.  
Prayers.*

### MEMBERS' STATEMENTS

#### EDUCATION

**Mr. Frank Klees (Oak Ridges):** In the wake of Gerard Kennedy's resignation as Minister of Education, Sandra Pupatello inherits his legacy of underfunded program announcements and policy commitments.

After two and a half years, Gerard Kennedy has left Ontario's education system burdened with policy and contractual commitments beyond the fiscal ability of school boards, leading inevitably to deficits in every school board in the province. He leaves in his wake a multi-million dollar funding shortfall that school boards have to deal with as a result of his peace-at-any-cost labour deals.

His only major piece of legislation in two and a half years, Bill 78, robs school boards of a meaningful role, undermines the authority of school board trustees, strips away the independence of the Ontario College of Teachers, does away with qualifying tests for new teachers and downloads numerous responsibilities to school boards without any commitment of resources.

After two and a half years, rather than delivering on his promise to provide services to autistic children, this minister is fighting autistic children in the courts. Rather than improving services to special-needs students, this minister presided over the clawing back of special-needs funding from school boards across the province. And rather than adequately funding transportation for Ontario students, this minister has ignored the appeals of the Ontario School Bus Association and has forced hardship on parents and students throughout rural and northern Ontario.

He has yet to deliver on the promised funding to keep rural and small schools open; he deflects responsibility for the imminent closing of those schools.

This minister mastered the art of the announcement—

**The Speaker (Hon. Michael A. Brown):** Thank you.

#### IMMIGRANTS

**Mr. Khalil Ramal (London-Fanshawe):** On Monday, March 27, I had the privilege, alongside Minister Colle, to attend and participate in a conference held by the Minister of Citizenship and Immigration and the Ontario Chamber of Commerce. The conference, entitled

*Diversity in the Workforce: Our Economic Advantage*, was also attended by several prominent members of the Toronto business community.

Topics of the conference included what employers need to know about Ontario's changing workforce, and how employers can tap into new markets using diversity as leverage.

For too long, immigrants' global education and experience was not properly recognized or appreciated. The McGuinty government recognizes the real benefits that newcomers bring to this province, and the government has worked hard to help newcomers to Ontario through several initiatives, including the launch of the [www.ontarioimmigration.ca](http://www.ontarioimmigration.ca) website, which provides newcomers and potential immigrants with the information they need to get started in Ontario, and signing the first-ever Canada-Ontario immigration agreement, which will result in 920 million new federal dollars over the next five years to help Ontario newcomers settle and upgrade their skills and language.

In fact, the Ontario government invests more in programs and services for newcomers than any other province, and we will continue to work hard to help newcomers reach their full potential and put Ontario in a better position to compete in the global market.

#### AGRICULTURE FUNDING

**Ms. Laurie Scott (Haliburton-Victoria-Brock):** Today in Ottawa, 10,000 farmers are converging on Parliament Hill. Farmers were ignored when they surrounded Queen's Park the week before the Ontario budget. They are hoping to get a better hearing from the Harper government. They certainly can't get a worse hearing than the McGuinty government gave them.

Two weeks ago, farmers across Ontario were angered and disappointed by the fact that the government's "pay more, get less" budget did nothing to address the crisis in farming. Joe Hickson is a grain and oilseed farmer in my riding. He says that farmers in Ontario need \$300 million in relief, or roughly \$100 for every consumer. That's less than \$2 a week. When the opposition asked why farmers had been left out of an \$85-billion budget, they were told to ask the federal government for help. The provincial Liberal government's message to farmers is clear: "You are on your own."

Farmers are not known for sitting around. There's an old saying, "If you want something done, ask a busy person." To this we can add a new saying, "If you want something done right, ask a farmer."



Although the Queen's Park protests were ignored by the provincial government, they did catch the attention of federal politicians. Here is what yesterday's federal throne speech had to say about agriculture: The federal government "will respond to short-term needs, create separate and more effective farm income stabilization and disaster relief programs and work with producers and partners to achieve long-term competitiveness and sustainability."

The McGuinty government thinks that by ignoring farm protests, they have successfully passed the buck to the federal government. They are mistaken. Soon they will be called to the table to participate in securing the future of agriculture—

**The Speaker (Hon. Michael A. Brown):** Thank you. Members' statements.

### DOMESTIC VIOLENCE

**Mr. John Milloy (Kitchener Centre):** I am pleased to rise in the House today to highlight an important conference on domestic violence that took place in my community last week. The conference was hosted by Waterloo region's Catholic Family Counselling Centre, or, as it's known, the CFCC. I was pleased to attend the opening dinner with our colleague the Honourable Sandra Pupatello.

The CFCC, with its partner agencies, has taken a leadership role in providing a first-in-Canada one-stop approach to helping eliminate family violence. To highlight their approach, CFCC invited Casey Gwinn, director of victim services for the San Diego county district attorney's office and national director of the President's Family Justice Centre initiative. Casey Gwinn's successful vision of collaborative and coordinated care for victims of family violence has served as an important model for work under way in Waterloo region. I congratulate CFCC's board chair, Jim Hallman, and executive director, Cathy Brothers, for their successful conference. I would also like to thank Staff Sergeant Sean Tout of the Waterloo Regional Police Service and Casey Cruikshank of St. Mary's hospital's domestic violence and sexual assault treatment centre, who helped organize the event.

Together with the elder abuse team of the community care access centre, Women's Crisis Services of Waterloo Region, the Community Action Program for Children, and CFCC's credit counselling program, they have launched this new method of delivering support to victims of family violence.

### COURT SECURITY

**Mr. Garfield Dunlop (Simcoe North):** I rise today to condemn the Minister of Community Safety and Correctional Services for his completely inaccurate comments yesterday in response to my question on court security. The minister had the gall to stand in this House yesterday to accuse our party of downloading court security to municipalities when we were in power.

Nothing could be further from the truth. On January 1, 1990, court security was formally downloaded from the province to the municipality in which the court is located by none other than the Liberal government of David Peterson. In fact, Minister Kwinter sat at the cabinet table during this time and did absolutely nothing to stop this transfer of responsibility.

I can assure the minister that the policing community is not fooled by these Liberal games. The minister has sat on the Thomas report on court security since he assumed his current cabinet position. Instead of acting on this report, which includes several options for sharing court security costs, he has chosen to take any possibility of any funding for court security completely off the table.

I would respectfully request that in the future the minister get his facts straight before attempting to rewrite the history books on the solid Progressive Conservative record on policing in Ontario.

1340

### LONG-TERM CARE

**The Speaker (Hon. Michael A. Brown):** The member for Glengarry—Prescott—oh, the member for Timmins—James Bay.

**Mr. Gilles Bisson (Timmins—James Bay):** I know I lost some weight, Speaker, but not that much.

*Interjections.*

**Mr. Bisson:** I'm glad somebody has noticed; I tried so hard.

I rise in the House today for a very serious matter that I know other members in this assembly have been approached on. I, like many other members, have been approached by the Extendicare nursing homes in this province, specifically in my constituency in Timmins and also in Kapuskasing. They are circulating petitions signed by the residents within those particular facilities calling on the government to keep the pledge it made in the last election to refund the money removed from personal nursing care that was there to assist people in those institutions.

Specifically, they are asking the government to fix the oversight in this last budget, where they had a chance to address this and find the \$306 million required to fund the more than 20 minutes of daily care for residents, time that is deeply needed to care for people in our institutions.

There is an old saying that goes, "We judge a society by the way it treats those who are the most vulnerable." I think this government had an opportunity in the last budget to do something that was right for those seniors who have built this province, this country and their communities.

I join with the voices of those who have signed this petition and call on our provincial government to fund the dollars necessary to provide the level of care needed within these particular institutions so that our seniors can be well cared for.

## BORDER SECURITY SÉCURITÉ À LA FRONTIÈRE

**Mr. Jean-Marc Lalonde (Glengarry–Prescott–Russell):** I rise today to express my disappointment about Prime Minister Stephen Harper's inability to stand up for Ontario on the issue of American passport proposals.

Last week, our Prime Minister met with President Bush during his visit to Mexico. I was disappointed to see that the Prime Minister refused to defend the interests of Ontarians and Canadians when he gave in to Mr. Bush's passport plan without a fight.

I'm sure that all members of this Legislature are aware of the important role that tourism plays in the Ontario economy. In 2004, Ontario welcomed more than 21 million American visitors, who collectively spent \$3.3 billion in our province.

Les statistiques demandent que, de nos jours, les voyageurs américains planifient leurs vacances 48 heures d'avance. Je présume que ça prend plus que 48 heures pour l'obtention d'un passeport aux États-Unis. Compte tenu que moins de 25 % des Américains ont un passeport valide, l'industrie du tourisme en Ontario sera sérieusement affectée par ce changement.

The proposed border security plan threatens a key component of our economy in Ontario. I am shocked that the Prime Minister would admit defeat on this issue after only one meeting with President Bush. I call on Prime Minister Harper—

**The Speaker (Hon. Michael A. Brown):** Thank you.

**Mr. Bill Mauro (Thunder Bay–Atikokan):** Like many other members in the Legislature, I have had more than a passing interest in the US government's western hemisphere travel initiative.

The requirement to have a passport or a single-purpose travel card can, and likely will, have a very negative effect on tourism, and business owners and communities all across Ontario, including Thunder Bay, which I have the pleasure of representing in this Legislature. Thunder Bay is a mere 30-minute drive from the US border and has a significant amount of cross-border travel at all times of the year, but specifically in the summer months.

Recently, as we are all aware, Prime Minister Harper met with President Bush in Cancun to discuss, among other things, the western hemisphere travel initiative. I think many of us were very surprised by the apparently meek capitulation on this very important issue by our new Prime Minister. While it may not be of significance in Alberta, it is obviously of great importance in Ontario.

If this initiative could be more substantially linked to improving the safety and security of our people and our countries, it would have much more support. Not only is it not supported in Ontario but it is roundly criticized by many public officials in the US itself as having little impact on improving security.

Like many northern communities, Thunder Bay has always faced its economic challenges. The tourist industry has always provided a stable, predictable component to the economic base of Thunder Bay and

northwestern Ontario. Why Prime Minister Harper would not lobby President Bush for at least a delay in its implementation is a surprise to all of us. It is not too late to reverse his stand and begin to more forcefully represent the interests of Ontarians and Canadians.

**Mr. Bruce Crozier (Essex):** Despite the intransigence of the Bush regime and the fact that our Prime Minister is waving a white flag on these border issues, I want to tell the Legislature what state governments and provinces are doing in this respect.

I am co-chair of the subcommittee on security with the Council of State Governments, midwest section. Eleven state governments, three of which are Ohio, Michigan and Minnesota, along with Manitoba, Saskatchewan and Ontario, have met on this issue. We've done something about it. What we have done is to advise the President of the United States and the Prime Minister of our country that when it comes to the United States Western Hemisphere Travel Initiative, we feel it should be delayed. It should be held back until such time as we can agree on an appropriate method of border security.

We haven't given up—not like the federal governments on both sides. We're working to make our borders more secure but at the same time keeping for the citizens of two countries that have lived peacefully together the ability to cross each other's border and not be inhibited in doing that.

We won't quit, notwithstanding what the federal government might do.

## VISITORS

**Mr. Tony Ruprecht (Davenport):** On a point of order, Mr. Speaker. I'm delighted to introduce to you and to the distinguished members representatives of the very successful Portuguese Canadian Credit Union: Mr. Antonio Carvalho, Mr. Rendeiro and Mr. Santos.

**The Speaker (Hon. Michael A. Brown):** Welcome, gentlemen.

## INTRODUCTION OF BILLS

### OMBUDSMAN AMENDMENT ACT (CHILDREN'S AID SOCIETIES), 2006

### LOI DE 2006 MODIFIANT LA LOI SUR L'OMBUDSMAN (SOCIÉTÉS D'AIDE À L'ENFANCE)

Ms. Horwath moved first reading of the following bill:

Bill 88, An Act to amend the Ombudsman Act with respect to children's aid societies / Projet de loi 88, Loi modifiant la Loi sur l'ombudsman en ce qui a trait aux sociétés d'aide à l'enfance.

**The Speaker (Hon. Michael A. Brown):** Is it the pleasure of the House that the motion carry? Carried.

The member may wish to make a brief statement.



**Ms. Andrea Horwath (Hamilton East):** Very briefly, the bill amends the Ombudsman Act to allow the Ombudsman to investigate any decision or recommendation made or any act done or omitted in the course of the administration of a children's aid society. It comes up as a result of some of the discussions around Bill 210.

The government decided not to do this, notwithstanding the Ombudsman's wishes and my own amendment, so I thought it would be appropriate to introduce a private member's bill to ensure that this issue remains top of mind.

1350

KEVIN AND JARED'S LAW  
(CHILD AND FAMILY SERVICES  
STATUTE LAW AMENDMENT), 2006

LOI KEVIN ET JARED DE 2006 MODIFIANT  
DES LOIS EN CE QUI CONCERNE  
LES SERVICES À L'ENFANCE  
ET À LA FAMILLE

Mr. Jackson moved first reading of the following bill:

Bill 89, An Act to amend the Child and Family Services Act and the Coroners Act to better protect the children of Ontario / Projet de loi 89, Loi modifiant la Loi sur les services à l'enfance et à la famille et la Loi sur les coroners pour mieux protéger les enfants de l'Ontario.

**The Speaker (Hon. Michael A. Brown):** Is it the pleasure of the House that the motion carry? Carried.

The member may wish to make a brief statement.

**Mr. Cameron Jackson (Burlington):** Members would be familiar with this legislation, which I tabled and which was passed unanimously in May 2004. It deals with the issue that when a child dies when in the care of a court-ordered access permit of an abusive parent, there would be an automatic coroner's inquest and the victims' justice fund would allow the family to have standing.

This bill has been named in honour of Kevin Latimer, who was two days short of his second birthday when he died on February 2, 2004, at the hands of his father. It's also named today in honour of Jared Osidacz, who would have turned nine yesterday had he survived the tragic but brave efforts he made to save two women in an abusive situation on March 18 of this year. This bill is named Kevin and Jared's Law in their honour.

OMBUDSMAN AMENDMENT ACT  
(SCHOOL BOARDS), 2006

LOI DE 2006 MODIFIANT LA LOI SUR  
L'OMBUDSMAN (CONSEILS SCOLAIRES)

Mr. Marchese moved first reading of the following bill:

Bill 90, An Act to amend the Ombudsman Act with respect to school boards / Projet de loi 90, Loi modifiant la Loi sur l'ombudsman en ce qui a trait aux conseils scolaires.

**The Speaker (Hon. Michael A. Brown):** Is it the pleasure of the House that the motion carry? Carried.

The member may wish to make a brief statement.

**Mr. Rosario Marchese (Trinity-Spadina):** The bill amends the Ombudsman Act to allow the Ombudsman to investigate any decision or recommendation made or any act done or omitted in the course of the administration of a school board.

KEEP YOUR PROMISES  
AT THE PUMP ACT, 2006

LOI DE 2006 SUR L'OBLIGATION  
DE TENIR LES PROMESSES  
ÉLECTORALES À LA POMPE

Mr. Bisson moved first reading of the following bill:

Bill 91, An Act to provide for an interim freeze in the price of certain petroleum products / Projet de loi 91, Loi prévoyant le gel provisoire du prix de certains produits pétroliers.

**The Speaker (Hon. Michael A. Brown):** Is it the pleasure of the House that the motion carry? Carried.

The member for Timmins-James Bay may have a brief statement.

**Mr. Gilles Bisson (Timmins-James Bay):** I certainly do have a brief statement. We know that in opposition many Liberal members rose in this House and introduced bills calling for all kinds of measures to deal with gas prices. Speaker, you know that gas prices are again rising. They're up to \$1.05 in my community; about \$1.01 here in Toronto.

This particular bill is actually a very good one that I supported in opposition. It was introduced by Mr. Bartolucci. I introduced this bill and it died on the order paper when the government prorogued the House, so I have to reintroduce it. The bill freezes the price of petroleum products at the price of those products on April 5—today—and the freeze applies for 90 days from the day the bill comes into force. This would give time for the government to put some pressure on the gas companies to lower the prices. I'm looking forward to Mr. Bartolucci's support on this bill.

OMBUDSMAN AMENDMENT ACT  
(HOSPITALS AND LONG-TERM CARE  
FACILITIES), 2006

LOI DE 2006 MODIFIANT LA LOI  
SUR L'OMBUDSMAN (HÔPITAUX  
ET ÉTABLISSEMENTS DE SOINS  
DE LONGUE DURÉE)

Ms. Horwath moved first reading of the following bill:

Bill 92, An Act to amend the Ombudsman Act with respect to hospitals and long-term care facilities / Projet de loi 92, Loi modifiant la Loi sur l'ombudsman en ce qui a trait aux hôpitaux et aux établissements de soins de longue durée.

**The Speaker (Hon. Michael A. Brown):** Is it the pleasure of the House that the motion carry? Carried.

The member may wish to make a brief statement.

**Ms. Andrea Horwath (Hamilton East):** Currently under the Ombudsman Act, the Ombudsman may investigate decisions, recommendations, actions and omissions of governmental bodies and may exercise other powers necessary for an investigation. The bill amends this act to give the Ombudsman the same powers in relation to hospitals and long-term-care facilities. My interest in doing so stems from some issues in my own community around Chedoke Continuing Care Centre and Mr. Malleau and some of the challenges of getting good health care for the people of Hamilton.

#### VISITORS

**Ms. Andrea Horwath (Hamilton East):** I'd like to welcome in the gallery Shereen and Dennis Airth from my riding of Hamilton East. They're the parents of my legislative page, Elyse Airth. For the information of the House, Dennis Airth was the very first firefighter to receive the provincial Medal for Good Citizenship, and we should all congratulate him on that.

#### PAT COATES

**Mr. Tim Peterson (Mississauga South):** I just wish to inform the House that yesterday, Pat Coates, a great Liberal, a great political activist, was buried in Mississauga. Pat suffered from diabetes, lost both of her legs, lost her sight, but never lost her spirit as she continued forward and left a tremendous legacy to all of us.

#### MOTIONS

##### PRIVATE MEMBERS' PUBLIC BUSINESS

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** I seek unanimous consent to put forward a motion without notice regarding private members' public business.

**The Speaker (Hon. Michael A. Brown):** Mr. Bradley has asked for unanimous consent to put forward a motion dealing with private members' public business. Agreed? Agreed.

**Hon. Mr. Bradley:** I move that, notwithstanding standing order 96(d), the following change be made to the ballot list of private members' public business: Mr. Sterling and Mr. Jackson exchange places in order of precedence such that Mr. Sterling assumes ballot item 33 and Mr. Jackson assumes ballot item 30, and that, pursuant to standing order 96(g), notice be waived for ballot item 33.

**The Speaker:** Mr. Bradley has moved that, notwithstanding standing order 96(d), the following change be

made to the ballot list of private members' public business: Mr. Sterling and Mr. Jackson exchange places in order of precedence such that Mr. Sterling assumes ballot item 33, and Mr. Jackson assumes ballot item 30, and that, pursuant to standing order 96(g), notice be waived for ballot item 33.

Is it the pleasure of the House the motion carry? Carried.

#### HOUSE SITTINGS

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** I move that, pursuant to standing order 9(c)(i), the House shall meet from 6:45 p.m. to 9:30 p.m. on Wednesday, April 5, 2006, for the purpose of considering government business, despite the fact that I am on House duty.

**The Speaker (Hon. Michael A. Brown):** Mr. Bradley has moved government notice of motion 90. Is it the pleasure of the House that the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

*The division bells rang from 1359 to 1404.*

**The Speaker:** All those in favour will please rise one at a time and be recognized by the Clerk.

#### Ayes

Amott, Ted	Dunlop, Garfield	Peters, Steve
Arthurs, Wayne	Fonseca, Peter	Peterson, Tim
Balkissoon, Bas	Gerretsen, John	Phillips, Gerry
Bartolucci, Rick	Hardeman, Ernie	Pupatello, Sandra
Bentley, Christopher	Hoy, Pat	Qaadri, Shafiq
Berardinetti, Lorenzo	Jackson, Cameron	Racco, Mario G.
Bountrogianni, Marie	Klees, Frank	Ramal, Khalil
Bradley, James J.	Lalonde, Jean-Marc	Ramsay, David
Broten, Laurel C.	Leal, Jeff	Ruprecht, Tony
Brownell, Jim	Levac, Dave	Smith, Monique
Bryant, Michael	Martiniuk, Gerry	Smitherman, George
Cansfield, Donna H.	Matthews, Deborah	Sorbara, Gregory S.
Caplan, David	Mauro, Bill	Sterling, Norman W.
Chambers, Mary Anne V.	McNeely, Phil	Takhar, Harinder S.
Colle, Mike	Miller, Norm	Tory, John
Cordiano, Joseph	Milloy, John	Van Bommel, Maria
Crozier, Bruce	Mossop, Jennifer F.	Watson, Jim
Delaney, Bob	Munro, Julia	Wilkinson, John
Di Cocco, Caroline	O'Toole, John	Wilson, Jim
Dombrowsky, Leona	Oraziotti, David	Witmer, Elizabeth
Duguid, Brad	Parsons, Ernie	Wong, Tony C.
Duncan, Dwight	Patten, Richard	Wynne, Kathleen O.

**The Speaker:** All those opposed will please rise one at a time and be recognized by the Clerk.

#### Nays

Bisson, Gilles	Kormos, Peter	Prue, Michael
Horwath, Andrea	Marchese, Rosario	

**The Clerk of the Assembly (Mr. Claude L. DesRosiers):** The ayes are 66; the nays are 5.

**The Speaker:** I declare the motion carried.



## STATEMENTS BY THE MINISTRY AND RESPONSES

### NORTHERN ONTARIO

**Hon. Rick Bartolucci (Minister of Northern Development and Mines):** I am delighted to rise in the House today to inform members of the latest actions of our government to strengthen northern Ontario's economy and improve the quality of life for northern residents.

Once again, it was clear in our third budget that this government recognizes the tremendous potential of the north. Our investments in this region are continuing to build a strong foundation for prosperity now and into the future.

Through the refocused northern Ontario heritage fund, for example, we are continuing to work with northern entrepreneurs, companies and business organizations to help create jobs and foster economic development.

Just last week, it was my great pleasure to join my colleague David Oraziotti, the member for Sault Ste. Marie, to announce a \$15-million Northern Ontario Heritage Fund Corp. investment in a tourist attraction that will be part of the city's major waterfront tourism and commercial project. When completed, this innovative development will benefit Sault Ste. Marie and the region in a number of ways. It will create additional synergies with our tourism markets in the northern United States. It will attract more visitors to northern Ontario, and it will generate hundreds of new job opportunities.

Northerners have a vision for achieving prosperity. It is a priority of our government to help them realize that vision.

Few industries in this province demand more vision and long-term commitment than the mineral industry. Fortunately for all of us, Ontario's mining exploration, production and service companies consistently demonstrate their talent for achieving results that benefit the entire province. In 2005, the value of Ontario's mineral production was \$7.2 billion.

For almost a century, Ontario has led metal production in Canada, but the mineral industry is a global one, and on that stage too this province is a leader. Once again this year, Ontario ranked in the top 10 of the world's most favourable mining jurisdictions.

1410

The best minds in the industry are constantly working on new ways to ensure that Ontario's mineral industry remains a front-runner. This is an industry with an unrelenting commitment to innovation.

As the minister responsible for mines, I am especially proud of two recent initiatives by our government. The first is Ontario's mineral development strategy, which I released last month at the annual Prospectors and Developers Association of Canada convention here in Toronto. This strategy builds on this government's cur-

rent initiatives, programs and services to help ensure the mineral sector's continued strong economic performance. The strategy outlines a series of key strategic objectives and action items, which we will now begin to implement. An important aspect of the strategy is a proposed engagement process that aims to promote good mineral sector relations with aboriginal communities.

The mineral development strategy benefited from extensive collaboration with key stakeholder groups, whose time and efforts I appreciated very much. I want to thank one group in particular for their contributions; namely, the Ontario Mineral Industry Cluster Council. The members of this council have also been the driving force behind another exciting initiative that will have far-reaching benefits for the mineral industry.

I am delighted to report that the council members' vision for a national centre of leading-edge mineral industry research and development in the north took a giant step forward towards becoming a reality with the news from our government's 2006 budget of \$10 million to help launch the new Centre for Excellence in Mining Innovation at Laurentian University. The centre will build on the considerable industry and academic resources that already exist in Sudbury to harness the skills of the best and the brightest in mineral industry and research institutions around the world. Mere days later, on the strength of the support from our government, Inco Ltd. stepped forward with its own announcement of \$5 million for this mining centre. I cannot overstate the value of this project to the mineral industry nor the level of support from all stakeholders.

I would like to take just a moment to draw attention to two other initiatives in the 2006 budget that will continue the momentum of progress that has been spurred through the northern prosperity plan.

In all parts of the province, roads and highways are vital for development. In the vast north, the highway network is especially crucial as the social and economic lifeline of many communities. This year, our government will invest \$357 million in northern highway rehabilitation and expansion projects. This represents the largest annual investment ever in the history of this province. I am also pleased that as part of Move Ontario, a new infrastructure initiative by our government, northern municipalities will receive \$56.5 million in immediate, one-time funding for road and bridge repairs and upgrading.

Northern Ontario's tremendous potential lies not only in the richness of its mineral wealth, forestry and extensive network of fresh lakes, but in the ingenuity of its residents. I am proud that our government is both responsive and responsible in helping build opportunity and prosperity in this region. Thank you.

**The Speaker (Hon. Michael A. Brown):** Response?

**Mr. Norm Miller (Parry Sound-Muskoka):** It's my pleasure this afternoon to respond to the statement made by the Minister of Northern Development and Mines. First of all, I'd like to talk about tourism. He brought up tourism in his statement, talking about a new project in



Sault Ste. Marie, and I'm pleased to see that. However, I would like to point out that tourism is very important for northern Ontario. It's important not only for northern Ontario; it's important for Parry Sound-Muskoka; it's important for Niagara, for Toronto, for Ottawa. It's important for many different areas of Ontario. So I ask the minister, what happened to the tourism budget in this latest budget that was announced just last week?

Well, I can give you the answer to that, because I happen to have the budget handy here. I see under the Ministry of Tourism that the budget went from \$261 million to \$161 million: a \$100-million cut to the budget of the Ministry of Tourism. So I say, if tourism is so important—I would say in the north especially important—why was the budget cut by \$100 million?

Just a couple of weeks ago I was on a three-day northern loop, and I stopped in the town of Cochrane, a beautiful town. I know they have a world-class polar bear centre there; I think the last government had a lot to do with providing the funding for that. I met with the council. I knew the polar bear centre was there, so on the way up I was looking for signs that would direct me to it. I didn't see any signs. So I asked the council, "How's it going?" and they told me that the first year they were doing pretty well. The first year they had 14,000 visitors, and the second year they had 19,000 visitors. I said, "Where are the signs?" They said, "Well, we only have \$25,000 to market this world-class attraction."

I say that's a real shame. If they had some partnership money with the Ministry of Northern Development and Mines perhaps, or the Ministry of Tourism, then they would be able to promote this world-class attraction and generate some dollars for the province and for the Cochrane area, and it would be a net benefit for the province of Ontario. So I say it's a real shame that the government has cut this \$100 million out of the budget of the Ministry of Tourism.

I'm pleased that mining is doing well in Ontario, and I would say that a new mine doesn't open in one year. In fact, it doesn't open in even three years, the length of time that the government has been in power. The minister mentions that we're in the top 10 in the world for mining exploration. Well, we used to be number one, so we've gone from number one to somewhere in the top 10; he didn't say exactly where. But I say that a lot of the results we're seeing in the mining sector right now are because of all the various programs that were put in place by the past government, like reducing the mining tax rate by 50% and providing a reduction of corporate income tax for resource companies. Mr. Wilson, the past Minister of Northern Development and Mines, had a lot to do with that, and past minister Hudak.

The new remote mines were provided with a 10-year tax exemption and reduced tax rates to encourage mining. I would say that with the De Beers mine at Attawapiskat, that program had a lot to do with encouraging that new mine. We of course have put in place a flow-through tax regime for mineral exploration. When I was up in Timmins at the pre-budget consultations, I heard from

people in the mining business that they want to see Ontario more competitive with Quebec, where they have a more generous program for flow-through share deductions. But also there were some other programs we put in place, like Operation Treasure Hunt, which really paid off. So there were a lot of programs put in by the past government. We're now seeing the benefits of all those programs that were put in place.

Minister, I'm going to run out of time very quickly, but there's a lot more work to be done. I also heard in Timmins there's a tremendous skilled labour shortage in the mining sector, and a lot of work has to be done to address that problem. Your energy policy is really hurting mining. It's certainly very much hurting forestry. Agriculture is a significant industry in the north as well, and agriculture used to be able to benefit from the northern Ontario heritage fund investments. Under the changes this government put in place, they no longer can get investments for capital and infrastructure. I heard that on my recent northern tour.

Look what the province of Quebec just did, in comparison, in their recent budget. They balanced the budget, but they also invested \$1 billion in the forestry sector over the next four years. So Quebec, both in mining and forestry, is doing more than Ontario, and balancing the budget.

**Mr. Gilles Bisson (Timmins-James Bay):** I'm pleased to respond to the comments made by the Minister of Northern Development and Mines both in regard to tourism and mining. I just want to remind the minister that, yes, the mining industry is doing quite well in Ontario, as they are across North America and other jurisdictions, based on the price of base metals and based on the price of precious metals.

**1420**

We went through very bad times for a long period of time where both base metal and precious metal prices were low, and it didn't matter what government did at the time: If the price of metal is low, you're not going to attract the kind of investment you need in exploration, and if you don't attract the amount of money you need in exploration, you're not going to get the kind of developments that are eventually going to happen when it comes to bringing some of the new ore bodies into production.

Here we are today, in this particular year and for the last couple of years, having a pretty good time in mining. I look at the city of Timmins, and certainly the buzz is, when you talk to people in the community—the real estate people, the business people and others—there's lots going on in the mining sector. A lot of people are coming back into the community, and we certainly are grateful for that.

But I don't want this government to think that all of a sudden some policy that the government put in place today, yesterday or two years ago is responsible for that, because the minister will know that it takes six to 10 years before a mine actually comes into production. The prospector goes out in the bush, he finds an interesting



deposit, goes out and raises some money, does some diamond drilling, and eventually somebody options the property. There's a long process before it ever comes to a mine. I'm sure the minister will know that in fact that does take some time.

I would say that successive governments have done a lot to respond to the mining industry. I was part of the government when Minister Martel was Minister of Northern Development and Mines. I know that Mr. Wilson, under the Tories, and now Mr. Bartolucci have done a lot to try to assist the mining industry, because we do understand how difficult an industry it is when it comes to attracting investment, and I think we do what we can.

But I do want to be critical on one point, and that is on the aboriginal front. The minister said in his statement—of course, I can't find the paper when I need it. I don't have my glasses, because Michael is gone with the ones that I borrow all the time. But it does say—and I'm trying as best I can.

*Interjection.*

**Mr. Bisson:** Oh, thank you. Let me see if I can put Yak's glasses on. Yeah, that works.

"An important aspect of the strategy is a proposed engagement process that aims to promote good mineral sector relations with aboriginal communities." Well, you've had an opportunity, Minister, to do that, and for the Premier to do that. I introduced a bill in this House on the issue of revenue-sharing, which was one part of trying to find a way to allow development to happen around our aboriginal communities when it comes to mine development. Your government saw fit to kill that bill when they prorogued the House, and now you've created this whole new process that supposedly is going to be the be-all and end-all when it comes to dealing fairly with aboriginal communities. Well, I'm not as hopeful as some, because, as we're going through this process, you're continuing the same old practices that were in place that have infuriated First Nations communities over the years as you go into these new discussions. I would guess that by the end of November 2007, we will be no nearer to finding a solution to this issue than we were at the beginning of this particular term.

On the issue of tourism, I guess it's the same as mining when it comes to First Nations communities. They hear these announcements and they say, "What does it mean to me?" How much tourism development do we see in First Nations communities? How much mining development do we see that actually benefits First Nations communities? Very little. For example, in the communities of Moosonee and Moose Factory on James Bay, there is a huge opportunity, as there is in other places, to attract tourists in order to benefit not only the Ontario economy but the local aboriginal communities. We don't see the amount of attention being put in place that is needed to support the local business communities, the entrepreneurs and the other individuals involved in tourism to get activities going in that particular part of

the world that would benefit those communities when it comes to tourism.

I put this challenge to the Minister of Northern Development and Mines and I put the challenge to the Minister of Tourism: We have been asking for a long time that a special fund be set up for aboriginal communities so that others in those particular areas, including Moosonee, which is a non-aboriginal community as far as a municipality, are able to draw down funds from the province to help them develop their infrastructure and their marketing plans to be able to benefit from the tourist industry as tourists go into the northern part of the province. I say tourism is a great part of our economy, but it certainly ends approximately north of Highway 11. We need to figure out some way to plug the aboriginal communities into the process so they are also able to benefit.

And I want to thank Mr. Yakabuski for his glasses.

VISITOR

**Mr. Norm Miller (Parry Sound–Muskoka):** It's my distinct pleasure to introduce the grandfather of page Charlotte Curley from the riding of Bruce–Grey–Owen Sound and the town of Owen Sound, Bill Holmes, who is in the west visitors' gallery today.

ORAL QUESTIONS

TRANSPORTATION INFRASTRUCTURE

**Mr. John Tory (Leader of the Opposition):** My question is for the Premier. In the budget statement, an amount of \$400 million was announced for road and bridge repairs and upgrading. Can you confirm that every single dollar of this amount will in fact be spent on roads and bridges, as stated in the budget?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** To the Minister of Finance.

**Hon. Dwight Duncan (Minister of Finance, Chair of the Management Board of Cabinet):** Every dollar.

**Mr. Tory:** I think the Premier and the minister know full well that part of the problem with this year-end March madness spending is that you have no control over the money and what happens to it. The Auditor General has commented on this before.

Your colleague the Minister of Municipal Affairs confirmed in a recent news story in the Kingston Whig-Standard, and I quote from that story, "Kingston's MPP says the city can spend a surprise \$4.85-million grant announced in the provincial budget indirectly on a downtown entertainment centre." The article goes on to quote the Minister of Municipal Affairs as saying, "Maybe it wants to reallocate that money and do other things with it. That's totally up to the city to decide."

My question was to the Premier, but the minister has just said that every dollar of this money was for roads and bridges, no ifs, ands or buts. Can you confirm

whether or not, if these people wanted to take this money and put it into an arena or, frankly, to more of your \$100,000-plus club that you're expanding so fast, they could in fact do whatever they want and that your previous answer was incorrect? Which is it?

**Hon. Mr. Duncan:** The answer is still the same. What differentiates us from them is that we trust our municipal partners.

**Mr. Tory:** I was only quoting your own colleague sitting right back there, who is quoted in the newspaper. I'll read it to you again: "Maybe it wants to reallocate that money and do other things with it. That's totally up to" them "to decide."

The truth of the matter is that you've been going around telling Ontarians that you can guarantee them that there will be thousands of kilometres of roads—by the way, much less than needs to be done—and hundreds of bridges that can be fixed, but your Minister of Municipal Affairs tells quite a different picture. The auditor has previously commented on the fact that one of the problems with this year-end March spending madness you go on is that it has to be unconditional. Can you tell us today, are there any conditions whatsoever associated with this money—the answer must be yes if your previous answer was correct—or in fact are the municipalities able to do whatever they want with it, which means we won't get the kinds of road and bridge repairs that you've said? Which is it?

**Hon. Mr. Duncan:** The money we're providing to municipalities is for roads and bridges, and we trust them to use it for what it's meant for.

Here we have the Leader of the Opposition, who before the budget said that we should balance the budget and cut taxes; that's what he said before the budget. This is a party that left a \$5.5-billion deficit, and we're cleaning up that mess as well. The Leader of the Opposition wants to have it both ways. He wants to say that you can cut \$2.5 billion out of health care—that's what he wants to do—and he wants to say that you can increase spending on programs and services.

We have a clear plan. First, we're eliminating the health care deficit, and we're doing it in a planned and deliberate way. Secondly, we're eliminating the education deficit and the infrastructure deficit. Finally, according to plan, we will eliminate the fiscal deficit, working with our partners, municipalities—

**The Speaker (Hon. Michael A. Brown):** Thank you. New question?

#### HEALTH PREMIUMS

**Mr. John Tory (Leader of the Opposition):** My question is to the Premier. It seems it's actually the ministers going one by one, but never mind. That's another subject.

Could you explain why our men and women in the armed forces, who do not use Ontario's health care system, are forced by you to pay the McGuinty health tax? Do you approve of this policy?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** To the Minister of Finance.

**Hon. Dwight Duncan (Minister of Finance, Chair of the Management Board of Cabinet):** As we've said from the beginning, this is a tax that applies to every citizen of the province equally. It is being used to invest in health care services that serve all the people of this province. All that money is being used to improve our hospitals, add family health teams and provide for more doctors and nurses right across the province. It's money that's being well spent.

**Interjection:** Community health centres.

**Hon. Mr. Duncan:** And community health centres. It is money that is being wisely used to invest in our health care system, not just for today, but into the future. All Ontarians, whether they are in the armed services now or in the future, contribute to that and they also benefit over their life from the services we make available and the improvements we have made to health care in this province.

1430

**Mr. Tory:** Obviously, the minister does feel it's appropriate that we should charge the men and women in the armed forces, who are over there serving all of us and placing themselves in harm's way every day. Their health care is covered by the federal government. You think it's appropriate that, in addition to that, they should pay the McGuinty health tax. They should be treated, as you put it, the same way as all other people in Ontario, notwithstanding the fact that their health care is provided by somebody else.

I just want you to confirm again that you don't think there's anything wrong with this, that there is no inequity here and that it's perfectly fair that these men and women, getting the health care in the circumstances they do, should be charged the health tax just like everybody else. That's your policy. Please confirm that.

**Hon. Mr. Duncan:** I'm sure the Leader of the Opposition is not advocating that they shouldn't pay Ontario income tax either.

What we are saying is that all people in this province benefit from our health care system over the long term. Unlike the Leader of the Opposition—

**Interjection:** What would he cut? What's he going to cut?

**Hon. Mr. Duncan:** That's the question: What would he cut with that \$2.5 billion?

This tax is applied fairly and evenly across all individuals in Ontario. It's invested in services, including, the Minister of Health tells me, a family health team at the Petawawa base. I imagine the Leader of the Opposition would cut that.

It's important that all of us invest in our health care. Our health care system is improving day by day because of the investments of this government, and we're going to continue to make those investments to ensure that the members of our armed services and their families have access to high-quality health care everywhere throughout Ontario.



**Mr. Tory:** The fact of the matter is, what we're hearing here is a lot of rhetoric, because you can't defend the position you've taken. It starts from the fact that the health tax itself was, of course, brought in in direct violation of a promise made by the Premier of this province—then the leader of the Liberal Party—not to raise taxes at all. But worse than that, now that you've brought it in in direct violation of your own promise, you have a situation where you are making these men and women in the armed forces, who are serving us and who have their health care funded and looked after by the federal government—and you know it—you are making them pay a tax that is being paid, yes, by every other person in the province, but those people don't have their health care looked after by the federal government.

You have a chance right now to stand in your place and say this is wrong and that you're not going to treat these people, who are serving us, in this fashion. Why don't you get up and treat them properly, in the manner they deserve, and say you're going to stop charging them the McGuinty health tax?

**Hon. Mr. Duncan:** Like all Ontarians, they pay the health premium. Their parents, their children, their grandparents benefit from the system. This is about a system of health care that serves all Ontarians. It's about a system that we will not cut \$2.5 billion out of, the way you will, Mr. Tory. It is about a system that saw billions of dollars in cuts by the previous government, cuts that have affected everyone, including the families of the men and women who serve in our armed services.

We will invest in health care to ensure that when those young men and women return to Canada, they have a quality health care system that is second to none, that they too can benefit from, the way their grandparents and parents benefit, because I know and believe that they see that as being a priority—

**The Speaker (Hon. Michael A. Brown):** Thank you. New question.

#### DUFFERIN-PEEL CATHOLIC DISTRICT SCHOOL BOARD

**Mr. Howard Hampton (Kenora–Rainy River):** My question is for the Minister of Education. Allow me to congratulate the new Minister of Education on her appointment. I wish her better luck in this portfolio than she had in her last portfolio.

*Interjections.*

**The Speaker (Hon. Michael A. Brown):** Stop the clock. Order. Order.

The leader of the third party.

**Mr. Hampton:** Your government, the McGuinty government, has asked the Dufferin-Peel Catholic District School Board to make significant cuts to educational programs for students. My question, Minister, is this: Will the McGuinty government be taking over this school board if the trustees refuse to make these cuts?

**Hon. Sandra Pupatello (Minister of Education, minister responsible for women's issues):** Let me say—

*Applause.*

**Hon. Ms. Pupatello:** I can't believe you're clapping; I'm enjoying that while it lasts.

First of all, let me say a very special congratulations to my colleague Gerard Kennedy. I am really gratified to be able to step in after the kind of tone he has set in education. A very good example of that is this very board that the leader of the third party is asking about today. I think he has set us on exactly the right track. I have a wealth of experience with this individual named Bill McLean who was sent into that board, an individual whom I happen to have known for many years. I am looking forward to having a look at the report that he has developed, and we're giving that board time as well to look at the report that Bill McLean developed. We're going to be speaking very soon.

**Mr. Hampton:** Minister, your report from Bill McLean calls on the school board to increase class sizes, fire vice-principals, scrap adult education and cut over \$2 million from the reading recovery program for young children who are having difficulty learning to read. The trustees don't want to do this; they want to put children first. My question again: If the trustees refuse to implement these kinds of damaging cuts, is the McGuinty government going to take over the school board?

**Hon. Ms. Pupatello:** I hope this board will take from my comments today the kind of tone that I think the previous Minister of Education managed to extend to all boards in Ontario. We anticipate working with our partners to develop what is our priority as a government, and that is better education for kids. What that means in the end is, we are going to have smaller class sizes, and we are well on the way. We will have a lower dropout rate, and we are well on the way.

This board in particular has seen a tremendous increase in funding for the first time, unlike when you were the government; you did a wholesale, across-the-board cut to all transfer payment partners. We are not operating that way. We are significantly increasing funding to school boards. For that additional funding, we are looking for things in return. We're going to get those things because we will work with those partners. We are prepared to work with this board. I look forward to our very first meeting.

**Mr. Hampton:** Minister, you may call it working with boards, but cutting \$1 million out of adult education, cutting \$2 million by deferring maintenance on school buildings, cutting \$2.6 million from school cleaning, cutting \$2 million from the reading recovery program, which is for those kids who are having difficulty learning to read—that doesn't sound to me like working with the school board; that sounds like draconian cuts.

Minister, in your last portfolio you were either unwilling or unable to do away with the clawback of money from the poorest kids in the province. What are you



going to do to avoid these kinds of damaging cuts to these children, their schools and their futures?

1440

**Hon. Ms. Pupatello:** I think we need to set some of the information straight. This particular school board, the Dufferin-Peel Catholic board, has received a 19% increase in funding since we became the government. That school board has seen a 3% increase in enrolment. It has not been an issue of money. I look forward to working with this board so that we can collectively determine what will be in the best interests of these students.

We have set the bar very high across Ontario. My colleague before me and every member of this caucus—we will be relentless. We will have great education, and we will work with our partners in the education sector to make it happen, and that includes working with this board. I look forward to my very first meeting with this board. We will find a way to make it work, because nothing is more important than those students and the services they will have available to them in that school.

**The Speaker:** New question.

**Mr. Hampton:** Minister, do you know what? That sounds like the kind of answer we used to get from Conservative Ministers of Education. They used to talk about working with the board, and then they would read off the list of cuts. Here is the list of cuts again: adult education, \$1 million; deferring maintenance on school buildings, \$2 million; cutting vice-principals out of the schools, \$2 million; cutting cleaning out of the schools, \$2.6 million; and finally, cutting the reading recovery program for kids who are having difficulty learning to read, \$2 million.

Tell me, do these cuts have anything to do with improving education? Do they have anything to do with improving the opportunities for these kids? It doesn't seem to me to be so. How could these cuts possibly lead to better opportunities—

**The Speaker:** The question has been asked.

**Hon. Ms. Pupatello:** I just want to remind this member what many of us in the House know: Education in Ontario today is a very different kettle of fish than it was when we began this government two and a half years ago. I will use my own hometown as an example: We are building schools finally. We are increasing the number of teachers across Ontario to historic record levels, so that we can provide smaller class sizes from JK to grade 3, and we are delivering on what we said we would do.

This is a very different education system today. You walk into a classroom today and there is hope, peace and stability, and parents understanding that they will have classes every day. There is a four-year contract across the board in an affordable manner for parents to understand that we are serious about education. Please don't for a moment try to compare that to where we were even four years ago. There is a feeling of hope and there is encouragement—

**The Speaker:** Thank you. Supplementary?

**Mr. Hampton:** Minister, five other boards are in a situation similar to this board: the Toronto Catholic

board, the Upper Canada public board, Brockville and Cornwall, the Wellington Catholic board, the Bluewater public board and the Algonquin and Lakeshore Catholic school board, and I can tell you that we've been contacted by many other boards of education.

I want to ask you again: It seems to me that keeping our schools clean and safe is important. How does cutting \$2.6 million out of school cleaning and \$2 million out of school maintenance make our schools clean and safe for these children?

**Hon. Ms. Pupatello:** I think we need to be clear in particular about the board you want to chat about; that is, the Dufferin-Peel Catholic board. There's a 3% increase in enrolment of students; there has been a 19% increase in funding. That causes us to want to ask some questions, which we have done through this individual, Bill McLean from the Niagara area, who is very well respected. I have watched his work for many years.

He has tabled a report. He has asked some questions, and he has been delivered some answers. I think it's fair now that the board look at the report and that I get an opportunity to look at the report. I hope, in the three or four hours I've been the minister, that I will be doing that very soon. I expect to be able to sit with the board and arrive at how we are going to resolve this problem. We have a 3% increase in enrolment and a 19% increase in funding. I think it's fair that we ask some questions. But I will tell you, we will work for the students in Dufferin-Peel. That I guarantee you.

**Mr. Hampton:** Before the election, Dalton McGuinty promised adequate education funding. He also promised a standing committee of the Legislature to review education funding every year and make sure it was adequate. So far, your government has broken both of those promises. So instead of firing custodians and cleaners, instead of firing vice-principals, instead of cutting the reading recovery program and the adult education program in the school system, how about keeping your promise and establishing a standing committee of the Legislature to ensure that education funding is adequate so you don't have to make these kinds of cuts? How about keeping that promise, Minister?

**Hon. Ms. Pupatello:** I am marvelling at what you are saying in the House today, because it is on record. Our finance minister tabled another budget. All of the budgetary documents from the last two years are tabled in this House, and if you read the lines, it will tell you that we have had a 20% increase in per capita funding in education. That is our record as a government. And it isn't just about the money; it's making sure that that money comes back to us in the form of quality. That means we want smaller class sizes, lower dropout rates and enhanced test scores. And guess what? In two and a half years, we are starting to see those results.

I believe that our Premier is the education Premier, and the former Minister of Education has done significant heavy lifting to make this happen. This Dufferin-Peel Catholic board has received 100 million new dollars since we became the government. I look forward to



working with this board. We are going to make it happen together, I guarantee—

**The Speaker:** Thank you. New question.

#### POST-SECONDARY EDUCATION

**Mrs. Elizabeth Witmer (Kitchener–Waterloo):** My question is for the Premier. I was pleased to have been involved early in helping to bring a school of pharmacy and a satellite medical school to our community of Kitchener–Waterloo, but I did share the surprise of residents, who learned that they would be paying \$30 million through their property taxes to pay for the construction of the provincial pharmacy school, with no contribution from the province. And they are now being asked to pay \$19 million of the satellite medical school, with the province only contributing about one quarter of the cost. My question, Premier: Has the provincial government changed its funding policy for the construction of post-secondary buildings, and are you now requiring that municipalities pay the lion's share of what is clearly a defined provincial responsibility?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** The Minister of Training, Colleges and Universities.

**Hon. Christopher Bentley (Minister of Training, Colleges and Universities):** Thank you for the question. I think all the people in Kitchener–Waterloo owe the member from Kitchener Centre, John Milloy, a great deal of thanks for the work he did. This government committed to increase medical spaces by 15%; we're increasing them by 23%. Jurisdictions from throughout Ontario wanted to be home to those spaces, and who's getting some spaces? Kitchener–Waterloo. For the first time in the history of this province, Kitchener–Waterloo will be home to medical school doctor education. I think that's a fabulous message for the people of Kitchener–Waterloo.

Did we tell everybody at the beginning exactly what capital funding was attached to them? We certainly did, and I'm happy to speak to it in the supplementary.

**Mrs. Witmer:** I would ask the minister, who obviously has no response and has just gone to ask the Minister of Health what he should say, to clarify your policy on this issue of downloading your provincial responsibilities to the hard-pressed municipal taxpayers in the region of Waterloo. They simply want to know if the provincial policy has changed in regard to what is clearly a defined provincial responsibility. Are you now expecting them to pay all or three quarters of the cost, and will future medical schools that are also satellites be asked to do the same?

1450

**Hon. Mr. Bentley:** In fact, the process was simple. We made the budget announcement. We asked who was interested. Jurisdictions throughout the province wanted the spaces. Every space came with an operating allotment and a capital allotment. Everybody knew, in advance, exactly what the province could do in terms of capital,

including the partners in Kitchener–Waterloo. What decisions are made locally may vary from jurisdiction to jurisdiction. This province was clear and transparent. I can tell you, those spaces are in demand everywhere. We could have allotted all the spaces to just one jurisdiction because they wanted them all. The people of Kitchener–Waterloo made it clear: They wanted to be the home of medical education. They know what a great economic benefit it is. They know that doctors stay where they're trained. They knew that, for the first time in history, they had a unique opportunity. Thanks to John Milloy, they're going to have that opportunity, as long as the member—

**The Speaker (Hon. Michael A. Brown):** Thank you.

*Interjections.*

**The Speaker:** Stop the clock. I can wait. We have members who wish to ask questions. Order. New question.

#### DOMESTIC VIOLENCE

**Ms. Andrea Horwath (Hamilton East):** My question is for the minister of women's issues. Last Sunday, Francine Mailly of Ottawa and her three children were murdered by her estranged husband. Francine first complained to the Ottawa police in 2002, and as recently as February police were aware of the danger that Francine's husband posed. Following the Hadley inquest, whose recommendations you've never yet implemented, the former government set up the Domestic Violence Death Review Committee. In 2004, the committee reported on the need for better training of front-line workers, specifically for police and child welfare workers. Two years later, funding is still inadequate and a fraction of what you promised. Minister, how many more women must lose their lives before your government takes the necessary measures to fight and prevent violence against women?

**Hon. Sandra Pupatello (Minister of Education, minister responsible for women's issues):** I very much appreciate this question. To the people in Ottawa who have had to deal with this tragedy, our government, every member of this House, extends our deepest sympathy, because this is a tragedy, and we need to stop this from happening.

What I am most proud of in our domestic violence action plan, the one area of the four pillars of this plan that will have the most immediate impact on all of us, is in fact the training section. The almost \$5 million we are putting into training is significant and it is the first time in the history of the Ontario government that it is being done by us. We are developing excellence that we know exists in the field, bringing it together and setting a provincial standard for this training of front-line for those who deal with domestic abuse. This is significant. So far, we have launched two panels. I am happy to give more detail in the supplementary.

**Ms. Horwath:** Minister, the bottom line is that there is no shortage of reports, recommendations and ideas that need to be implemented, but the reality is that you're



simply not flowing the funding. You promised \$68 million; you've only flowed \$26 million. In 2004, your own death review committee provided many concrete recommendations that could save women's lives. Now it's 2006. From Brantford to Ottawa, still, more women and children have been murdered. How many more communities across Ontario, from Brantford to Ottawa, are going to have these devastations occur? How many more women and children are going to suffer at the hands of their abusers before you start taking some of these recommendations more seriously and implement them?

**Hon. Ms. Pupatello:** I am always happy to set the record straight, because the information this member is advancing is simply inaccurate. Let me be clear: The death review committee, which this government is continuing the funding of, became the basis for a significant part of the domestic violence action plan. If this member were truly interested, as opposed to just waiting to ask when there is a tragedy, would actually take the time to research what our government is doing in this area—line up the reports and all the recommendations from the death review committee, and you will see it reflected almost in its entirety in our domestic violence action plan. That is important, because we have to stop these deaths.

The most significant way that we will make change the soonest is in the area of training. We have launched our training panels. We have one here, one block away, affiliated with Sunnybrook and Women's College Hospital for front-line workers in health care. We have two additional—

**The Speaker (Hon. Michael A. Brown):** Thank you. New question.

#### AGRICULTURE FUNDING

**Mr. Dave Levac (Brant):** My question is for the Minister of Agriculture. For quite some time now, I've been hearing from some of the farmers in my riding about many issues, but more importantly CAIS, the Canadian agricultural income stabilization program. They're saying that it's not working for them.

I understand that during the last federal-provincial-territorial ministers meeting—that's all of the agricultural and farmer representatives—the federal government and the provinces agreed that CAIS programs need to be changed. Yet, yesterday, or actually today during a press conference, it appears that Minister Strahl of the federal government was urging farmers to help him convince the provinces that the program needs to be eliminated.

Minister, a challenge to you: Can you explain our government's position on CAIS and how long it has been going on?

**Hon. Leona Dombrowsky (Minister of Agriculture, Food and Rural Affairs):** I'm very happy to have the opportunity to address what I think is a very important issue. I think it's most unfortunate—more than unfortunate—that the federal minister has decided to play politics with this issue that is so very important in the agriculture industry.

I just want to read for the members what Minister Strahl said two weeks ago. He was part of this statement where ministers are also determined "to move forward on transforming CAIS." Today he says he wants to scrap it. I am here today very confident in our position. We are committed to working toward programs that work for farmers. That has been our commitment for weeks and months. We want to sit down with the federal government.

This is a diversionary tactic. We need money. We have it on the table, and we want the feds to bring their money to the table now too.

**Mr. Levac:** Minister, I'm glad that you quoted from his very own press release the words he used some time ago, and I know you have been pushing for several months the multi-year strategy to help our farmers, which they have been asking for.

I'm also aware that you have been asking our farmers to support you in your efforts to push the federal government to come to the table as partners, as Chuck Strahl said in his previous press release. During the federal minister's press conference this morning, Minister Strahl said that he needs the provinces onside to make good on the throne speeches to create separate and more effective farming income stabilization and disaster relief programs.

Minister, I know that our farmers have already been in, talking with you, and you have called them in to meet with you as well. I also know that our province has come forward with a \$125-million assistance package before the agreement to help them out immediately. Why is Minister Strahl attempting to divert attention away from his responsibilities at the federal level and putting it back on the backs of the provinces, when we've already stepped to the plate?

**Hon. Mrs. Dombrowsky:** I'm very happy to read from the letter that I wrote to Minister Strahl on March 27, just last week, where I made it very clear that the province of Ontario is committed to working with the federal government and our counterparts on a new agricultural framework that will support the agriculture industry. This is an industry that's stressed, and Ontario is willing to move forward with a strategy to support them.

I have written to the minister. I've made it very clear that Ontario is prepared to roll up its sleeves. We're at the table; we have money there. It's time for them to come to the table with money for an agreement that's going to support farmers in Ontario the way they deserve to be supported. This tactic to divert attention and say, "Go back to the province"—we are there; we are at the table, and we want Minister Strahl to come. I'm going to be meeting with him on Monday. This is the point I will make to him again when I see him on Monday.

1500

#### WASTE DISPOSAL

**Mr. Norman W. Sterling (Lanark-Carleton):** My question is to the Minister of the Environment, about



solid waste disposal. In your platform, you said, "We will divert 60% of waste from landfills within five years." One of the first acts of your government was to close down a landfill site which had been through the environmental process, the Adams mine site. Our province is facing a looming garbage crisis. What steps will you take to dispose of waste from the greater Toronto area when the US border closes?

**Hon. Laurel C. Broten (Minister of the Environment):** I'm pleased to have a chance once again to speak to the issue. It has been a long time that I have spoken on behalf of our government, indicating that it is not acceptable that waste from this province travels across the border. We are working closely with municipalities that currently do ship their waste to Michigan to develop the tools that they need. Each and every day, municipalities come forward with very good diversion plans. That is key. We need to reduce the residual waste that we have in this province. I have been working with those municipalities, and I very much look forward to having a chance to talk about the good communities across this province that are increasing waste diversion, developing wonderful facilities like the Peel integrated waste facility that I recently had an opportunity to work with. The community of York-Durham has a very good plant. Communities right across this province will meet that challenge, and we look forward to being their partner in that battle.

**Mr. Sterling:** But you made the promise that you were going to reduce the waste by 60%, and you're not going to do that. You're going to break that promise, like many other promises.

Waste Management corporation is about to apply for the right to triple the size of their landfill site at Carp Road, in the west part of the city of Ottawa. Waste Management and the city of Ottawa say that the existing and expanded landfill site does not and will not take garbage from the greater Toronto area. The thousands of people who live within smelling distance of this site don't believe the city or the Waste Management corporation. Crisis or no crisis, will you guarantee that you will not alter the present permit or give a future permit to allow this to happen: GTA garbage to come to the landfill site at Carp—

**The Speaker (Hon. Michael A. Brown):** The question has been asked.

**Hon. Ms. Broten:** It is very rich to be asked this question by a member who was part of a government whose plan was to dump waste in a lake.

Since we have taken office, in October 2003, the Ministry of the Environment has approved the environmental assessment for the expansion of Ottawa's Trail landfill, which was a very good environmental assessment. Perhaps you were asleep when that landfill was expanded. The terms of reference for EAs of seven other landfills in this province, including Niagara-Hamilton, Sault Ste. Marie and Algonquin Highlands, have all been approved. Certificates of approval for five waste transfer facilities, including one in Toronto, have also been approved.

With respect to the Carp Road landfill, that EA has been acknowledged by the Waste Management corporation. They have requested that the minister enter into an agreement to make the EA apply to the proposed expansion of the Carp Road landfill. That is good news for the residents of your community. We will have a full examination of the issues associated with landfill—

**The Speaker:** Thank you. New question.

## ONTARIO HUMAN RIGHTS COMMISSION

**Mr. Peter Kormos (Niagara Centre):** A question to the Attorney General: Today, here in the Legislature, we have the former chief commissioner of the BC Human Rights Commission, Mary-Woo Sims. She's here in Toronto today, at Queen's Park, because she, like so many others, is so greatly concerned about the proposed changes to the Ontario Human Rights Commission. You see, similar changes took place in BC, and the results have been disastrous, incredibly negative consequences for people who had real need for human rights protection. Attorney General, will you retreat from these proposals and work with the groups that rely upon your commission to produce reforms that work for everyone, and not just a few?

**Hon. Michael Bryant (Attorney General):** I welcome our guests from Ontario and from out west to the Legislature.

I want to assure everybody of the good news, that in fact for the first time in a very long time, a provincial government in Ontario is going to be making changes to our human rights system that are going to improve access to our human rights system and improve the ability of the human rights commission to do its job, not only of bringing those who don't observe the human rights code before the human rights tribunal, which is a power they would retain, but also of promoting human rights. That's why people like Mary O'Donoghue, Chair of the human rights section of the Ontario Bar Association, has said that the changes proposed are timely and well-designed to solve current system problems.

Ontario will reap long-term benefits from these changes. That's why Cynthia Wilkey of the Income Security Advocacy Centre said that this initiative marks the first time in almost two decades that a government has stepped up to address the long-standing dysfunctional plague of our Ontario Human Rights Commission.

**Mr. Kormos:** It's real nice to hear that the lawyers are onside. The problem is that the victims of discrimination aren't onside. You are slashing and burning, and you're going to dismantle the commission with your direct-access proposal.

Since your announcement six weeks ago, group after group, individual after individual who works out there on the front lines, on the street, on the ground with victims of discrimination and racism, amongst other things, has been condemning your proposal. Why won't you back off, sit down with these folks, consult in a way that you



haven't consulted, and develop reforms that are going to work for everyone, not just your lawyer friends?

**Hon. Mr. Bryant:** I want to assure all members of this House that the last thing this government is going to do is follow the model that was set by the NDP government. What the NDP government did, firstly, was to say they wanted to reform it. They had an entire commission put in place, and Mary Cornish put forward a number of recommendations, which this government is finally going to implement.

But what we're not going to do is what that government did during the last three budgets when they had carriage of the human rights commission. In the third-last budget, they cut it by \$1.5 million; in the second-last budget, they cut it by another \$800,000; and then in the last budget Laughren got his hooks in one more time and cut it again—more than \$3 million in cuts. We won't take any advice from that party when it comes—

**The Speaker (Hon. Michael A. Brown):** Thank you. New question.

#### NORTHERN ONTARIO

**Mr. David Oraziotti (Sault Ste. Marie):** My question is for the Minister of Northern Development and Mines. As you know, the recent provincial budget is providing more resources than ever for northern Ontario communities to meet the challenges we face. My riding of Sault Ste. Marie was starved of new high-paying jobs and new opportunities to grow and prosper under the past two governments. The Conservative government's dismal election results in northern Ontario are a clear indication of how northerners feel about the poor job they did in our region. When the NDP had the chance to help our region, they took \$60 million from the northern Ontario heritage fund and put it into general revenue.

One of our greatest tools for creating jobs in the north is the northern Ontario heritage fund. In Sault Ste. Marie, thanks to the support of our Premier and the Minister of Northern Development and Mines, the NOHFC has provided \$3 million for the new wind tower, \$2 million for Flakeboard expansion, \$3 million for the Sutherland Group and, most recently, \$15 million toward the—

**The Speaker (Hon. Michael A. Brown):** I'm sure there's a question. The Minister of Northern Development and Mines.

**Hon. Rick Bartolucci (Minister of Northern Development and Mines):** That is a very, very good question from a very, very good member.

I am pleased to say that again this year our government will be contributing \$60 million to the northern Ontario heritage fund. So far, our government has approved over \$126 million from the northern Ontario heritage fund toward 532 projects that have resulted in the creation of 4,768 new jobs in northern Ontario, something we should all be very, very proud of.

In fact, just last week, as the member was saying, I was in Sault Ste. Marie to join him as he made a \$15-million announcement in a new tourism attraction in

Sault Ste. Marie. This project will ensure that there are new synergies created in the industry, that there is co-operation with the northern United States and that there will be new job opportunities created in Sault Ste. Marie, thanks to the member for Sault Ste. Marie.

**1510**

**Mr. Oraziotti:** The city of Sault Ste. Marie enthusiastically welcomes the waterfront development, known as the Gateway project, and here's what the Sault Star had to say about the project:

"The \$54-million development, supported by a record \$15-million provincial grant, should be a major drawing card to Algoma and northern Ontario....

"When it is completed, Borealis expects to attract 200,000 visitors every year.

"Borealis is an idea whose time has come, finally."

Minister, as you mentioned, this new attraction will be a huge tourism draw for northern Ontario. There's a concern, however, that the project will be completed the same year that the US Western Hemisphere Travel Initiative is set to be implemented. Despite the fact that many visitors who will enjoy this new attraction will be travelling from within Canada, many other potential tourists from the United States would face having to possess a passport to get back into their own country. It seems our own federal government is not being as helpful as it might be to keep our borders open. What is our government doing to alert Ottawa as to the implications of acquiescing to the US passport proposal?

**Hon. Mr. Bartolucci:** To the Minister of Tourism.

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** To all members who live along the United States-Canadian border, this is a very important question. Indeed, according to the Canadian Tourism Commission, it could cost us 7.7 million US visitors between 2005 and 2008, \$1.8 billion and as many as 7,000 jobs in Ontario. So I am directing a letter to the Prime Minister of Canada asking him to reconsider the position that he announced after his meeting with the President of the United States.

The good news is that there are people on both sides of the border—elected representatives I suspect, of all political stripes and business people from both sides of the border whom I've spoken to and others have spoken to—and we're going to try to convince the Prime Minister that indeed he should change his position on this particular issue and stand up for Canada.

#### BEAR HUNTING

**Mr. Norm Miller (Parry Sound-Muskoka):** I have a simple question for the Minister of Natural Resources: Are you in favour of reinstating the spring bear hunt?

**Hon. David Ramsay (Minister of Natural Resources, minister responsible for aboriginal affairs):** No.

**Mr. Miller:** Minister, in the 2003 campaign, you provided an interview to the Northern Daily News in Kirkland Lake on Monday, September 29, 2003. You were asked the same question, "Are you in favour of



reinstating the spring bear hunt?" and you gave a very different answer to the question. Your response was, and I have it here in writing, "Yes. The decision to cancel the spring bear hunt was arbitrary, whimsical and entirely political. It was done without consultation with the industry and without sound scientific data.... Since the cancellation, we have seen an increase in nuisance bear complaints in the north and now we are being told that the study of nuisance bears won't be made public until after this election."

This is also now a public safety issue. Minister, you made a campaign promise. Was this just another of the many broken promises made by your party to get elected?

**Hon. Mr. Ramsay:** This must be a sheep in bear's clothing, I think, who is asking me this question today, and it's interesting. I think the member should note that as the bears begin to wake up now, as the winter is over, so do the bear hunt questions that come in the spring. It's an annual thing with the opposition.

It is kind of rich that this question comes from the party that decided to cancel that spring bear hunt. As the member knows, and as I've learned more about this, the simple fact is that the people of Ontario do not accept hunting down a mammal when the mammal is rearing its young. It's as simple as that. As we all get more informed about that, we understand that hunting is a great cultural and sport activity, but people don't like hunting down a mammal when it's rearing its young. That's why we have seasons for it. We harvest just about as many bears now in our extended fall hunt as we would do in the spring.

### GASOLINE PRICES

**Mr. Gilles Bisson (Timmins-James Bay):** That was interesting.

My question is to the Premier. Many of your caucus members in opposition introduced various bills in this House to deal with rising gas prices at that time in the province of Ontario. I've reintroduced a bill again today, one of the bills that was introduced, I believe, by Mr. Bartolucci that would freeze the price of gas at today's rate. It would allow it to go down, but it would freeze the price so that it wouldn't go up for at least 90 days, to give your government the power you need to look into why prices are going up and to do something about it. Are you prepared to allow this bill to pass speedily today, so that we can at least make sure the price of gas doesn't go up any higher than it is now?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** For the Minister of Energy.

**Hon. Donna H. Cansfield (Minister of Energy):** Thank you very much for the question. It's quite understandable that people are concerned, because the gasoline prices are rising.

When I looked into the issue, I discovered that at one time there were actually 40 refineries in Canada, and we're down to 17. The other issue that we've got is that we import about 30% of our gasoline from Quebec. So

we end up in a very tight supply-and-demand issue. There's no question that we have to make some very significant changes as we move forward to deal with this issue.

There are challenges also within the supply. There's no question we've got challenges with dealing with supply just in the US. They have increased by 1.3% over the 5.4 billion barrels that they use daily. It's a huge issue that we all need to get behind and deal with in a constructive way. Certainly—

**The Speaker (Hon. Michael A. Brown):** Thank you. There may be a supplementary.

**Mr. Bisson:** Premier, you had a lot to say in opposition, along with all of your backbenchers at the time, on solutions to deal with this issue. Now you've been the government for three years. You had an opportunity to pass these bills when you became the government. None of your members decided to put them forward. So I decided to help; I reintroduced them. Then you killed them when the House was prorogued. Now I'm reintroducing.

The price is going up. You have an opportunity to do something. Your members had some good ideas. They said, "Freeze the price of gas for 90 days. Don't allow it to go any higher than it is now so that we can, as a government"—at that time you being the Liberals—"do something about it." Well, you've got the limo. You're in the driver's seat. Are you going to do anything about it, or was this just more rhetoric from you in opposition?

*Interjection.*

**Hon. Mrs. Cansfield:** I think my colleague in environment said, "Isn't it rich?" I guess it must be a rich day today, from the comments coming from across the floor, because in their time they actually increased the taxes by 30%.

I would like to think that as we deal with this there are some actual things that folks can do to make a difference. For example, in the city of Toronto you no longer can idle beyond three minutes. Even the weight that you carry in your car can have an impact upon the amount of gasoline that you use—I mean, the start-up. There are so many things that you could do. You would think that the member would be very interested in helping to look at how you can conserve, as opposed to how you can exploit, your use of gasoline.

**Mr. Bisson:** On a point of order, Mr. Speaker: I do believe she's reading the Tory briefing book.

### COMMUNITIES IN ACTION FUND

**Ms. Monique M. Smith (Nipissing):** My question is for the Minister of Health Promotion. This winter, I had the privilege of announcing funding through the communities in action fund of \$9,500 to the Laurentian Ski Hill Snowboard Club to run their Experience Our Hill program. Our funding allows the club to provide 200 North Bay youth from low-income families with an opportunity to try skiing or snowboarding as a healthy and fun physical activity. Last winter, I had the oppor-



tunity to attend the North Bay Nordic Ski Club, as it received communities in action fund grants of \$10,000 to increase physical activity and sports participation rates in North Bay by assisting in the purchase of cross-country ski equipment to make it easier for teachers to take their grade 5 and 6 classes out to the North Bay Nordic Ski Club. With the purchase of 50 new sets of rentals, the Nordic club can now accommodate an entire class at the same time, and is contributing to the fitness of our youth as well as the long-term sustainability of the club.

Minister, can you tell me how the communities in action fund grants are helping the youth and adults in the north?

**Hon. Jim Watson (Minister of Health Promotion):** I want to thank the member for Nipissing very much. As members of the House know, the communities in action fund was created a couple of years ago under our government by my predecessor, Mr. Bradley, to increase levels of physical activity within Ontario. The fund helps to remove barriers, particularly from children, youth and low-income families. Under Premier McGuinty, the north is no longer relegated to second-class status. It is given a priority and, in fact, the ratio of funds in the north per capita is 10 times greater than in any other part of the province. In the northern region, 44 of the 145 CIAF grants for 2005-06 were awarded, including one to North Bay. I congratulate the honourable member. The North Bay Canoe Club introduced 565 children to war canoeing. It's a great program to get young people physically active in our province.

1520

**Ms. Smith:** Minister, I know that my community is certainly benefiting from the CIAF program.

Another example of the great work we're doing locally has been undertaken by NADY and has contributed, through the YMCA, to the total wellness for disabled youth and adults project. We have contributed \$22,500 through a grant that has allowed the project to engage disabled adults and youth in active living through fitness and aquatic activities. The project reduces the inequities and barriers to participation and has helped the Y in its recent purchase of fitness and conditioning equipment specially modified to serve the needs of people with disabilities.

Minister, I'm sure there are community leaders across the province with great ideas for programs designed to increase physical activity right now. Will the CIAF program be continuing into a third year?

**Hon. Mr. Watson:** I'm very pleased to announce that the McGuinty government is committing another \$5 million to the CIAF program in this fiscal year. We are expanding the program to include colleges and universities, conservation authorities and municipalities who partner with not-for-profit organizations. In over two years, more than 300 organizations have benefited.

I have to say, two days ago, the honourable member for Lanark-Carleton called the program "useless," "a charade," and said, "Grants are handed out on a very partisan basis." Maybe the member from Lanark-

Carleton could explain to the Lanark County Therapeutic Riding Program why their grant was useless or why the Lanark Health and Community Services for low-income families grant was useless. When the member for Lanark-Carleton talks about "useless," he certainly knows what he talks about, because his riding received \$114,000.

This is not a partisan project; it's an opportunity for young people—

**The Speaker (Hon. Michael A. Brown):** Thank you. New question.

## BORDER SECURITY

**Mr. Ted Arnott (Waterloo-Wellington):** My question is for the Premier. The Premier is aware that a new American law requiring a passport or secure pass card for cross-border travel to the US is, to quote him from today's Globe and Mail, "not a good thing" for tourism. Does the Premier think it's a good thing for his members to engage in gratuitous attacks on the Prime Minister of Canada which mischaracterize his position when he's been the one who's been representing all of Canada to seek a solution to this problem?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** This is a serious issue; so serious, in fact, that we will be very serious in our approach to this. We think the Prime Minister is sadly mistaken with respect to the approach that he's taking. We think this has the potential to cost us thousands of jobs and hundreds of millions of dollars.

I can tell the member opposite that I've had the privilege, in my capacity as Premier, to speak with some of my counterparts south of the border recently—including Governor Jennifer Granholm—at a meeting of the Great Lakes state governors in which I participated. I raised this issue as well. I can tell you that those governors on that side of the border are also very concerned about this issue. They understand that on their side of the border, it means jobs and dollars as well.

It is important that we aggressively approach the federal government in this regard and shake them, figuratively speaking, so that they better understand the economic consequences and the job consequences to this province. For that, we will never apologize.

**Mr. Arnott:** Does the Premier seriously believe that the Prime Minister of Canada didn't push the issue as hard as he could with the President of the United States last week?

We would all hope that a solution can be found before the end of the year to ensure that our tourism industry isn't harmed by this new US law. I've called upon the provincial government to try to help in this regard. However, if we're not successful and the US government will not grant Canada an exemption, what then? What is the government's contingency plan? Why did the government ignore the tourism industry's request for marketing dollars through the Ontario Tourism Marketing Partnership Corp. in the most recent provincial budget?



**Hon. Mr. McGuinty:** I know the member opposite understands that the principal responsibility for addressing these international issues lies with the federal government. Our job is to make sure that we are being clear, that we are being unequivocal, in expressing to the federal government the potential consequences of this new US policy.

What we will continue to do is work as actively as we can—together with our tourism authorities and those employed generally in the tourism industry in our province—with our counterparts on the other side of the border, and therein, I refer to my colleagues, the governors, and their economic interests as well, so that we can, together, make the federal administrations on both sides of the border better understand the potential devastating consequences of proceeding with that policy.

Maybe we have a different view on this side of the House, but as far as we're concerned, this is not over; this has just begun.

### AIR QUALITY

**Ms. Andrea Horwath (Hamilton East):** This question is for the Minister of the Environment. Yesterday, you expressed grave concern about Hamilton's airshed, yet the McGuinty government has failed to reinstate the air quality monitoring station that the Mike Harris government got rid of several years ago. Given your stated concern yesterday for Hamilton's air quality, will you immediately commit to reinstating an MOE air quality monitoring station in the east end of Hamilton?

**Hon. Laurel C. Broten (Minister of the Environment):** I am pleased to talk about the efforts this government has made with respect to improving air quality in this province. We closed the Lakeview generating facility and we are going to be the first government in North America that is saying no and stopping burning coal. That is a significant issue to improving the airshed right across Ontario and for your community in Hamilton. I can also tell you that the community in Hamilton, as I indicated yesterday, is severely impacted by transboundary air pollution, and we are tackling that serious issue head on.

With respect to the issue you raised yesterday, I understand that my ministry was in contact with you yesterday afternoon and early today, and that you have received the information you required with ABP Recycling. I am very concerned with respect to that issue.

### PETITIONS

#### LONG-TERM CARE

**Mr. Frank Klees (Oak Ridges):** I have petitions here, presented to the Legislative Assembly of Ontario, submitted to me by Extendicare, Speciality Care Bloomington Cove and Leisureworld. The petition reads as follows:

"Whereas long-term-care funding levels are too low to enable homes to provide the care and services our aging seniors and parents who are residents of long-term-care homes need, with the respect and dignity that they deserve; and

"Whereas, even with recent funding increases and a dedicated staff who do more than their best, there is still not enough time available to provide the care residents need. For example, 10 minutes, and sometimes less, is simply not enough time to assist a resident to get up, dressed, to the bathroom and then to the dining room for breakfast; and

"Whereas those unacceptable care and service levels are now at risk of declining;

"We, the undersigned, who are members of family councils, residents' councils and/or supporters of long-term care in Ontario, petition the Legislative Assembly of Ontario to increase operating funding to long-term-care homes by \$306.6 million, which will allow the hiring of more staff to provide an additional 20 minutes of care per resident per day over the next two years (2006 and 2007)."

I submit these petitions. I will affix my signature and present it to page McKenzie to deliver to the desk.

**Mr. Jim Brownell (Stormont-Dundas-Charlottenburgh):** I have a petition to the Legislative Assembly of Ontario:

"Whereas long-term-care funding levels are too low to enable homes to provide the care and services our aging seniors and parents who are residents of long-term-care homes need, with the respect and dignity that they deserve; and

"Whereas, even with recent funding increases and a dedicated staff who do more than their best, there is still not enough time available to provide the care residents need. For example, 10 minutes, and sometimes less, is simply not enough time to assist a resident to get up, dressed, to the bathroom and then to the dining room for breakfast; and

"Whereas those unacceptable care and service levels are now at risk of declining;

"We, the undersigned"—these are from Sandfield Place and Versa-Care in Cornwall—"who are members of family councils, residents' councils and/or supporters of long-term care in Ontario, petition the Legislative Assembly of Ontario to increase operating funding to long-term-care homes by \$306.6 million, which will allow the hiring of more staff to provide an additional 20 minutes of care per resident per day over the next two years (2006 and 2007)."

I send this with Mark and affix my signature.

1530

**Mr. Jim Wilson (Simcoe-Grey):** I want to thank Jack Cronin, who's a family member at Bay Haven Nursing Home in Collingwood, for presenting these petitions to me.

"To the Legislative Assembly of Ontario:

"Whereas long-term-care funding levels are too low to enable homes to provide the care and services our aging



seniors and parents who are residents of long-term-care homes need, with the respect and dignity that they deserve; and

“Whereas, even with recent funding increases and a dedicated staff who do more than their best, there is still not enough time available to provide the care residents need. For example, 10 minutes, and sometimes less, is simply not enough time to assist a resident to get up, dressed, to the bathroom and then to the dining room for breakfast; and

“Whereas those unacceptable care and service levels are now at risk of declining;

“We, the undersigned, who are members of family councils, residents’ councils and/or supporters of long-term care in Ontario, petition the Legislative Assembly of Ontario to increase operating funding to long-term-care homes by \$306.6 million, which will allow the hiring of more staff to provide an additional 20 minutes of care per resident per day over the next two years (2006 and 2007).”

Once again, I know the residents of Bay Haven are watching. I say hello and thank you, and I agree with your petition.

**Mr. Gilles Bisson (Timmins–James Bay):** I know that Zacharie Fogal, the page from Timmins, is going to be here in a minute, as soon as we have room in the aisles. I’ll introduce this petition. I have a petition that’s signed by many residents from the Extendicare nursing homes, from the Schumacher nursing home in Timmins and also from the Kapuskasing Extendicare nursing home. It’s signed by many people—Zach, I know you’re going to love delivering this—and it reads as follows:

“To the Legislative Assembly of Ontario:”—I do know how to read. Again, I need my long arms of the law, because the Speaker has gone with my glasses again.

“Whereas long-term-care funding levels are too low to enable homes to provide the care and services our aging seniors”—boy, this is hard without glasses—“and parents who are residents of long-term-care homes need, with the respect and dignity that they deserve; and

“Whereas, even with recent funding increases and a dedicated staff who do more than their best”—which is true—“there is still not enough time available to provide the care residents need. For example, 10 minutes, and sometimes less, is simply not enough time to assist a resident to get up, dressed, to the bathroom and then to the dining room for breakfast; and

“Whereas those unacceptable care and service levels are now at risk of declining;

“We, the undersigned, who are members of family councils, residents’ councils and/or supporters of long-term care in Ontario, petition the Legislative Assembly of Ontario to increase operating funding to long-term-care homes by \$306.6 million, which will allow the hiring of more staff to provide an additional 20 minutes of care per resident per day over the next two years (2006 and 2007).”

I’ve signed that, and I’m giving it to Zacharie Fogal to deliver on behalf of the constituents of Timmins–James Bay.

**Mr. John O’Toole (Durham):** It’s my pleasure to present a petition on behalf the Community Nursing Home in Port Perry, where Joy Husak, Heather Cooper and Karen Sansom—John Dodds is the president—and Liz Hobson and family council members Eric Timms, Mrs. Murdock, Mary Malloy and Perry Grandel presented me with a number of petitions, which many members have read and I will read as well.

“Whereas long-term-care funding levels are too low to enable homes to provide the care and services our aging seniors and parents who are residents of long-term-care homes need, with the respect and dignity that they deserve; and

“Whereas, even with recent funding increases and a dedicated staff who do more than their best, there is still not enough time available to provide the care residents need. For example, 10 minutes, and sometimes less, is simply not enough time to assist a resident to get up, dressed, to the bathroom and then to the dining room for breakfast; and

“Whereas those unacceptable care and service levels are now at risk of declining;

“We, the undersigned, who are members of family councils, residents’ councils and/or supporters of long-term care in Ontario, petition the Legislative Assembly of Ontario to increase operating funding to long-term-care homes by \$306.6 million, which will allow the hiring of more staff to provide an additional 20 minutes of care per resident per day over the next two years ...”

I present this to Meghan to present to the table.

## BORDER SECURITY

**Mr. Jeff Leal (Peterborough):** I have a petition today. These were citizens from Ontario who had an opportunity to witness the summit of America just recently with Presidents Fox and Bush and Prime Minister Harper.

“Whereas the United States government, through the western hemisphere travel initiative, is proposing that American citizens require a passport or single-purpose travel card to travel back and forth across the Canadian border; and

“Whereas a passport or single-purpose travel card would be an added expense and the inconvenience of having to apply for and carry a new document would be a barrier to many visitors; and

“Whereas this will mean the loss of up to 3.5 million US visitors in Ontario, losses of \$700 million, and the loss of 7,000 jobs in the Ontario tourism industry by the end of 2008; and

“Whereas many of the northern border states in the United States have expressed similar concerns regarding the substantial economic impact of the implementation that’s planned; and

“Whereas the safe and efficient movement of people across the border is vital to the economies of both of our countries;



"Therefore, be it resolved that we, the undersigned, respectfully petition the Legislative Assembly of Ontario to support the establishment of a bi-national group to consider alternatives to the proposed border requirements and inform Prime Minister Harper that his decision not to pursue this issue with the United States is ill-advised."

I'll affix my name to this petition.

#### LONG-TERM CARE

**Ms. Laurie Scott (Haliburton–Victoria–Brock):** "To the Legislative Assembly of Ontario:

"Whereas long-term-care funding levels are too low to enable homes to provide the care and services our aging seniors and parents who are residents of long-term-care homes need, with the respect and dignity that they deserve; and

"Whereas, even with recent funding increases and a dedicated staff who do more than their best, there is still not enough time available to provide the care residents need. For example, 10 minutes, and sometimes less, is simply not enough time to assist a resident to get up, dressed, to the bathroom and then to the dining room for breakfast; and

"Whereas those unacceptable care and service levels are now at risk of declining;

"We, the undersigned, who are members of family councils, residents' councils and/or supporters of long-term care in Ontario, petition the Legislative Assembly of Ontario to increase operating funding to long-term-care homes by \$306.6 million, which will allow the hiring of more staff to provide an additional 20 minutes of care per resident per day over the next two years (2006 and 2007)."

This batch of petitions was presented by Bon-Air nursing residence.

#### COMMUNITY MEDIATION

**Mr. Bob Delaney (Mississauga West):** I have a petition to the Ontario Legislative Assembly. I'd like to recognize the efforts of Habib Ramzan and Naveed Khokhar in collecting the signatures on it. It reads as follows:

"Whereas many types of civil disputes may be resolved through community mediation delivered by trained mediators, who are volunteers who work with the parties in the dispute; and

"Whereas Inter-Cultural Neighbourhood Social Services established the Peel Community Mediation Service in 1999 with support from the government of Ontario through the Trillium Foundation, the Rotary Club of Mississauga West and the United Way of Peel, and has proven the viability and success of community mediation; and

"Whereas the city of Mississauga and the town of Caledon have endorsed the Peel Community Mediation Service, and law enforcement bodies refer many cases to

the Peel Community Mediation Service as an alternative to a court dispute; and

"Whereas court facilities and court time are both scarce and expensive, the cost of community mediation is very small and the extra expense incurred for lack of community mediation in Peel region would be much greater than the small annual cost of funding community mediation;

"Be it therefore resolved that the government of Ontario, through the Ministry of the Attorney General, support and fund the ongoing service delivery of the Peel Community Mediation Service through Inter-Cultural Neighbourhood Social Services."

This is an excellent petition. I'm pleased to sign and support it, and to ask page Jenna to carry it for me.

#### LANDFILL

**Mr. Norman W. Sterling (Lanark–Carleton):** This is a petition regarding the Carp landfill site.

"Whereas there is currently a proposal to more than double the size of the Carp landfill in west Ottawa; and

"Whereas this site has been in operation for 30 years and had been expected to close in 2010; and

"Whereas the surrounding community has grown rapidly for the past 10 years and is continuing to grow; and

"Whereas other options to an expanded landfill have yet to be considered; and

"Whereas the municipal councillors representing this area, Eli El-Chantiry and Janet Stavinga, and the MPP, Norm Sterling, all oppose this expansion;

"We, the undersigned, support our local representatives and petition the Minister of the Environment not to approve the expansion of the Carp landfill and instead to find other waste management alternatives."

I have signed it.

1540

#### COURT ORDERS

**Mr. Jim Brownell (Stormont–Dundas–Charlottenburgh):** I have a petition to the Queen's Park Legislative Assembly of Ontario.

"Whereas law enforcement is the constitutional responsibility of the provinces; and

"Whereas no police officer in Ontario has ever enforced any court order for access to a child; and

"Whereas no court in Ontario will enforce, or has ever enforced, any court order for access to a child; and

"Whereas court orders are the law of the land; and

"Whereas the province of Ontario enforces court orders for the support of children; and

"Whereas, unless court orders for access to children are enforced, parents will continue to be illegally not allowed to see their children; and

"Whereas lawyers in private practice refer non-custodial parents to the political arena;

"We, the undersigned residents of Ontario, petition the Legislative Assembly of Ontario to act immediately to ensure that court orders for access to children are respected and enforced by the province of Ontario."

I affix my signature to this.

#### LONG-TERM CARE

**Mr. Ted Arnott (Waterloo–Wellington):** I have a petition to the Legislative Assembly of Ontario, and it reads as follows:

"We, the undersigned, who are members of family councils, residents' councils and/or supporters of long-term care in Ontario, petition the Legislative Assembly of Ontario to increase operating funding to long-term-care homes by \$306.6 million, which will allow the hiring of more staff to provide an additional 20 minutes of care per resident per day over the next two years (2006 and 2007)."

This is from the Caressant Care long-term-care home in Fergus. I support this petition as well.

#### ORDERS OF THE DAY

##### ACCESS TO JUSTICE ACT, 2006

##### LOI DE 2006

##### SUR L'ACCÈS À LA JUSTICE

Resuming the debate adjourned on February 14, 2006, on the motion for second reading of Bill 14, An Act to promote access to justice by amending or repealing various Acts and by enacting the Legislation Act, 2006 / *Projet de loi 14, Loi visant à promouvoir l'accès à la justice en modifiant ou abrogeant diverses lois et en édictant la Loi de 2006 sur la législation.*

**The Acting Speaker (Mr. Michael Prue):** On the last occasion, Mr. Delaney, the member from Mississauga West, had finished his speech. It is now time for questions and comments.

**Mr. Gilles Bisson (Timmins–James Bay):** I remember quite well the comments made by the member in regard to his particular dissertation to this bill. I had a couple of questions with regard to the justice of the peace provisions of this bill, because I'm one who has always believed that it was a good thing, especially in smaller communities in rural and northern Ontario, to allow for part-time JPs. What we've seen is a shift to full-time JPs, but this bill really entrenches that. It's going to basically say that once all of the non-presiding judges—that means those who are part-time JPs—are gone, that's it. They're not going to be replaced. We'll only have full-time justices of the peace, and they're going to have to have a minimum amount of education and a minimum amount of experience to be able to practise as a JP.

I want to remind the member that JPs are not only used for court proceedings. I can understand why you want some of them to be full-time in order to deal with

the actual court proceedings, but as we all know, in rural and northern Ontario, JPs do some of the basic work that needs to be done for police officers and others in small communities where there is no access to a justice of the peace. For example, in a community like Moosonee, where you need to have an order signed by a JP in order to do a number of things in order for the police to carry out their work, there are no part-time JPs. They're having to do things like tele-warrants, which really don't work very well for that particular community because of the nature of the work that they do and the place where they find themselves.

So I want to ask the member what he feels is positive about only having full-time JPs. It seems to me you want to have a mix. Yes, you want to have full-time JPs who are properly qualified in order to hear cases as they're brought before the court, but certainly there is a role to play, I think, for part-time JPs to do some of the other work that needs to be done, such as marrying people or helping police with court orders and other things. So I would like to hear his comments on those.

**Mr. Jim Brownell (Stormont–Dundas–Charlottenburgh):** I'm pleased to have a few minutes this afternoon to speak on Bill 14, the Access to Justice Act. Certainly, it's a bill that will see the modernizing of some of the aspects of our justice system. There's been a long cry in Ontario that there are areas of the justice system that need some tuning. It's also improving people's access to the justice system. We'll certainly see that through such activities as the regulation of paralegals—I'll comment on that in a moment—and it will provide greater openness and transparency.

If I could just make comments about the regulation of paralegals: Certainly this will increase access to justice by giving consumers—I've heard from a number of consumers in my riding—the choice of qualified legal services. A number of constituents have approached me with regard to how safe it is for what they have done in the past, and how safe it is for what they intend to do in the future when it comes to requiring legal advice. They have certainly indicated to me the need for qualified legal service. This certainly will protect people who require and get advice from non-lawyers.

Also, with regard to the Provincial Offences Act, the allowance here of permitting witnesses to be heard by video conference or other electronic means will give police officers in our large rural ridings the opportunity of doing just that, at a distance. In some of these areas, especially in remote northern Ontario and in my area of eastern Ontario—it is a large riding—this would give the people who service those large ridings that opportunity.

**Mr. John O'Toole (Durham):** It's a pleasure to comment on this bill, which has been before this House since October 2005. In fact, this is rather an omnibus bill, and that's the problem; there are so many aspects to it. If you look at it, it changes a lot of schedules and functions of very complex and technical areas. I just want to put on the record a couple of concerns I have, and I believe I can speak on behalf of this party.



The Attorney General has rejected government studies and expert opinions that regulating paralegals through the Law Society of Upper Canada would not be appropriate. In typical Liberal arrogance, no reason has been given. Not now a profession, legal experts say that consumers as well as the profession of paralegals would be enhanced if it was made a self-regulatory body. I think the agreement here is that it should go to the law society to be regulated initially, with the ultimate goal of trying to move it toward a self-regulatory profession, as many professions are.

I'm also surprised at the amendments to allow the law society to disclose information on bad lawyers to police if there is significant risk of harm to anyone. I believe that this section should be toughened up. If anything, it needs to be strengthened, because in many cases—indeed, my son is a lawyer—the lawyers themselves, as a profession, need to have more disclosure in terms of those who are in some kind of conflict with their profession, for the protection of citizens and for the court system itself.

Again, it's a very large bill. The member is trying to put on the record some of the notes of the government. But clearly, if you look at this, introduced in 2005 and here it is in 2006, this bill has a lot of amending to do. I'm sure the Attorney General knows that. There are many more arguments that will be made, bringing up those points on this bill.

**Mr. Dave Levac (Brant):** I appreciate the opportunity to speak briefly about the bill. Contrary to the characterization that was just left with us, that we do nothing but use speaking notes and that we are not in contact with the people this most affects, I will take this opportunity to dispel some of the myths that have just been presented.

"People need to have confidence in their justice system. The proposed reforms to the Justices of the Peace Act would ensure that the quality of justice of the peace appointments is high, given the increasingly important role they play in the justice system." This is given to us by Louise Botham, president of the Criminal Lawyers' Association. So the member opposite has got it wrong.

"The regulation of all paralegals will benefit paralegal operations and ensure that the public can more easily access justice services." This is from Stephen Parker, president of the Professional Paralegal Association of Ontario.

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Let me offer another one: "Protection of the public is of paramount importance for the law society. We welcome the proposed legislation to set standards for the delivery of all legal services." That is from George Hunter, the treasurer of the Law Society of Upper Canada.

It goes on and on. Quite frankly, these are not our words; these are words from the very people that this will be affecting.

It's important to point out that the type of legislation that we see before us today, along with many other pieces of legislation—and, I dare say, from the previous govern-

ment and from the government of the third party—are fluid types of legislation, which continue to need to be improved as we go through. For the people that are lawyers in this place, they know as well as I do—and I do not profess to be a lawyer—that there needs to be this fluidity that creates a new way in which the laws are applied and improved upon.

To characterize it as simply something that the government throws out there haphazardly is unfortunate. Quite frankly, it's just not becoming of the member opposite, because he knows better than that. I would recommend that he not continue to do that, for the sake of all of us in this place.

**The Acting Speaker:** The member from Mississauga West has two minutes to respond.

**Mr. Bob Delaney (Mississauga West):** Certainly, it's been a very edifying debate. I thank the members from Timmins–James Bay, Stormont–Dundas–Charlottenburgh, Durham and Brant for their very helpful comments.

The member for Timmins–James Bay continues to make very interesting points, and speaks as forcefully for his constituents in rural Ontario as I hope I do for mine in Mississauga West. I thank him very much for his comments.

The member from Durham continues to refer incorrectly to Bill 14 as an omnibus bill, I think probably confusing it with some of the ominous bills from the former government that this bill aims to amend and update.

The members for Stormont–Dundas–Charlottenburgh and Brant both focused on paralegals. This bill allows paralegals to specialize in very narrow vertical market applications of the law—specialty areas such as, for example, being able to draft very narrow, specific types of contracts—and allows people who practise this particular brand of paralegal work not only to be regulated but to give consumers some idea of what it is they're buying when they undertake their services.

One last point that isn't often made is that under this particular bill, e-laws can now be used as the official version. That means that for many of us who are looking up laws on the Internet, we know that what is on the Internet, what we can research electronically, is in fact the official version, and will certainly cut down on some of the expenses and what would otherwise be unnecessary printing that people who practise either a paralegal specialty or law itself would have to spend on doing.

I thank you very much for the time to sum up.

**The Acting Speaker:** Further debate?

**Mr. Gerry Martiniuk (Cambridge):** It's my pleasure to rise to make a few comments over the next 20 minutes in regard to Bill 14. Bill 14 is an omnibus bill, as it has been referred to, and consists of 176 pages, not including the front and back covers. It comprises a number of schedules of matters which deal with the law, and that is probably the only similarity.

What I'd really like to discuss when I rise in the House is a concern with the lack of integrity on behalf of this government. I would like to talk about their broken



promises in regard to increasing the health tax, which I and many other citizens have just paid recently, and will be paying over the next couple of months. I'd like to talk about some of the individuals who come into my office who are finding it difficult to live on the Ontario disability pension. There doesn't seem to be much help for these people in regard to the budget.

I've talked to parents of autistic children whose cause is now mired in the courts, which brings us back to Bill 14. When I say "mired," it means exactly that. Our courts are so overloaded that justice is delayed in some cases for such a long period, and justice delayed is in fact justice denied. That is happening right now in our province, in our justice system, with autistic children who are not getting help and will soon outgrow the need for the help. It's their last chance.

I've had many people in my office lately about long-term-care facilities, which are underfunded. I think we will be reading about it in the paper, unfortunately, because it's resulting in lack of care, not just delays for meals and not just infrequent bathing. It is going to result in something considerably more serious, and I am concerned about that.

This bill is a big mishmash. Rather than trying to deal with schedules A to F, because everybody can take a piece of it, I am going to start out discussing schedule C. By the way, the title of Bill 14, which I did not read, is, An Act to promote access to judgment by amending or repealing various Acts and enacting the Legislation Act, 2006.

Schedule C deals with the law society and what we know in our society as paralegals. They've been known as paralegals for many a year. In case there are persons who are not familiar with paralegals, there are many in various fields. Some paralegals appear on behalf of individuals charged with minor offences, such as the Highway Traffic Act, or even possibly sometimes impaired driving, though I think that's very infrequent because that is a criminal offence. But dealing with highway traffic offences, everyone has seen various shops of retired police officers peddling their services as individuals who could assist you in defending an offence under the Highway Traffic Act. That's one part.

There are a number of paralegals who deal with immigration and citizenship courts. Now, immigration and citizenship in Ontario is a federal jurisdiction. They're rather busy tribunals and many of the individuals who appear in front of them are not lawyers, though many lawyers do practise in front of that court or tribunal, but they are in fact paralegals.

Then there are a number of paralegals whom one does not see in public because they do not appear in court. They could be individuals who would attempt to incorporate a company to set up a small business. They could be individuals who draw wills for individuals. They could be individuals who assist in real estate transactions in various parts of Ontario, not necessarily in the big cities but in the smaller areas.

So we have the paralegals who emulate what I would call solicitor's work, because it's non-public, they work

out of their office. Then we have the paralegals who emulate a barrister, who practises in front of courts or tribunals.

The paralegals up to date in Ontario have been totally without regulation. Individuals merely have to set up an office or obtain a telephone listing, advertise in the Yellow Pages, and they're in business. No licence is required from the municipality or from the province of Ontario.

**1600**

There have been a number of prosecutions brought by the law society against various paralegals, some of which have been successful and some not so successful. The law society has found it somewhat difficult to pursue these prosecutions to a successful end in many cases.

The law society has an interest in protecting the public against individuals who may conceivably be carrying on the practice of law, whatever that might be. That's the difficulty of defining that process. The law society is there to protect the public against unscrupulous lawyers and also to protect the public against individuals, as they see it, who are practising law without the sanction of the law society, which, in effect, has a monopoly on governing the practice of law in Ontario. As I say, on some occasions they've been successful and on some they have not, but a considerable amount of energy and money have been spent in pursuing these prosecutions by the law society.

The problem is simply that we have a group of individuals who are ungoverned and unlicensed. I think everyone agrees that there has to be some governance on this group of individuals whom we call, colloquially, paralegals. I've tried to describe some functions that they carry on.

One of the difficulties might be that governments in the past would set up regulations financed by the government, especially for smaller enterprises or groups that really couldn't afford to carry on self-regulation. That continued up until, I would say, 15 to 20 years ago, when it became more sensible to have professional groups govern themselves and, in fact, finance their own governance. That's what we call self-regulation, and it certainly does seem to make a lot of sense. The end result is a profession that acts properly. The public receive the benefit and the protection of that regulation but do not have to pay for it directly through their taxes.

We now have a number of new organizations that are coming in under self-regulation, not that self-regulation has not been around for many a year. The Law Society of Upper Canada itself is a prime example of self-regulation, which has been around for, I guess, over 100 years. We have the college of physicians, which, again, has been around for a considerable length of time.

One of the difficulties with the paralegal group possibly is that there are many small enterprises and it's difficult to organize them into a self-regulating group. So, as a compromise, and possibly as a temporary measure, the law society has been chosen to, in effect, regulate the paralegal groups.



There have been many studies dealing with paralegals in Ontario, two within the last 15 years, and the use of the law society to regulate paralegals has been frowned upon. There is an innate conflict with lawyers, who in fact run the law society by election, because the paralegals—at least some of the paralegals—compete in the same territory as the lawyers in carrying on their practice of law. So we have a difficulty in that we are going to choose a group of individuals who have a potential conflict, especially when it comes to who does what. “Who does what” is very simple. If there are overlapping jurisdictions where some paralegals are in fact competing with some lawyers, how are we to resolve that overlap? That overlap should not be there. The practice of law is one jurisdiction and the practice of paralegal should be another.

So here we have those two jurisdictions, and one would think that the government—that’s the government of Ontario, the Liberal government, Mr. McGuinty’s government—would decide who does what. It seems sensible. They are the protectors of the people. That is our job. But no, in this case they chose to hand—wow—this big mess about who does what to the very people who may have a potential conflict, i.e., the law society of Ontario, which is composed of lawyers.

So that’s what they’ve done, and many groups are taking offence at that. Not only does this act have to go to committee, but I can imagine that the committee hearings could be somewhat lengthy with a view to the complexity of the various schedules contained in this act and the individuals who might wish to come forth to propose changes or amendments to the act. A couple come to mind almost immediately as to individuals who have an interest in taking a look at the act and suggesting amendments.

If I may, I’m going to read from the Lawyers Weekly, the March 3, 2006, issue, an article by Arnold Ceballos. I will start at the second paragraph—the first paragraph just details what we’re dealing with—“The bill would require paralegals in Ontario to be licensed and would create classes of so-called ‘licensees,’ including those licensed to practise law as a barrister and solicitor, and those licensed to provide legal services. A lawyer would be referred to as ‘a person licensed to practise law as a barrister and solicitor.’ The precise scope of activities authorized under each class of licence would be set out in bylaws passed by the provincial law society.”

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So we have two licensees: One will be practising law as a barrister and solicitor, and the other, very carefully worded, will be providing legal services, but they are not identified by any name. We know them as paralegals, but we’re careful to ignore that designation.

“Not everyone is happy with the proposed bill.

“Although supportive of the regulation of paralegals, the Ontario Bar Association has raised concerns about the proposed bill. According to President Heather McGee, consultations among the organization’s 34 sections identified three areas in need of clarification, and

the group has suggested that the amendments deal with these areas of concern.

“First, the organization says that the two proposed classes of licensees will be confusing to the public, who will not be able to distinguish between those licensed to ‘provide legal services’ and those licensed to ‘practise law.’ Secondly, the OBA maintains that the precise substance of the regulatory scheme should be set out in the legislation, rather than devolved to the law society to articulate. The OBA is specifically concerned with clarifying what paralegals can and cannot do. Finally, the group also objects to the law society having the responsibility of determining which professionals should be exempt from licensing. The OBA’s citizenship and immigration section has also expressed concern with the exclusion of immigration consultants under the proposed scheme, arguing that there is no effective regulation of immigration consultants in Canada.

“‘Lawyers are very concerned about the potential confusion between lawyers and paralegals,’ said McGee, stating that ‘the harm that can result from that is just unfathomable.’ McGee added that she believes this potential confusion was unintentional. She says that the group has received indications from officials in the Attorney General’s office that they will meet with the OBA to discuss their concerns.

“However, the Law Society of Upper Canada points out that the legislation will, for the first time, give the law society authority to regulate advertising by paralegals, and a basis on which to help the public understand the difference between lawyers and paralegals. The law society supports the bill, which gives it the mandate to regulate the provision of legal services, including those provided by paralegals.... He noted that the bill is reflective of recommendations made by the law society in September 2004 to deal with an issue that has been around for more than 25 years.”

So we can see from that article that the Ontario Bar Association has a number of concerns dealing with schedule C.

As my time is almost up, it’s fairly obvious that I will not be addressing the remainder of the schedules in this bill.

**The Acting Speaker:** Questions and comments?

**Mr. Bisson:** I am so glad to respond and make comments to the, I thought, not a bad speech, actually. The member, Mr. Martiniuk, really went through the various schedules of the bill in a very thoughtful way, and although I don’t agree with all of his perspective on the bill, I thought he did a pretty good job.

My problem with this bill is that the government is doing some stuff in here that, quite frankly, I support and I like—for example, the paralegals section of the bill. I think we both agree that paralegals need to be regulated, but unlike you, I think the only place to do that is with the upper law society. I don’t know. I’ve gone through this whole discussion with a bunch of different people in my community who are paralegals. I’ve talked to the legal community. I’ve talked to the upper law society. I



had an opportunity to really discuss this issue at length, and I've come to the conclusion that that's probably the only place you can put them for now.

You need to know that, at one point, the upper law society is prepared if their numbers increase—

*Interjection.*

**Mr. Bisson:** I always get that wrong, but I know where the restaurant is—that's another story.

Anyway, I was just going to say—you know, you get badgered in the Legislature, Mr. Speaker, by people when you speak, and it really throws you off, from my good friend Mr. McNeely.

Anyway, I just say that at one point I don't think the lawyers are averse to allowing, then, the paralegals to move on, on their own, as other professions have done, to be able to run their own organization when it comes to being self-regulated or—what's the word I'm looking for—having their own college. We know at this point there is no such mechanism to put them into and they don't have any kind of association to put themselves with in order to do this work, so you've got to start somewhere.

The other thing, which I've really got a huge problem with—and I think on that basis, it's really hard to support the bill—is what the government is doing with JPs. You need to have part-time JPs. You can't just go to a full-time system. I will get an opportunity a little bit later in the debate to talk about that in more detail.

**Mr. Jeff Leal (Peterborough):** Indeed, I had the opportunity to listen carefully to the member from Cambridge on Bill 14. I would like to say at the outset that amendments to the justice of the peace system to ensure a more open and transparent process—I think those are important. From what I've learned over the years, talking to the justice of the peace of Peterborough, His Worship Michael O'Toole, who I believe will be retiring this spring as a justice of the peace, having served since about 1987—when I've had a chance to talk to him about the role of the justice of the peace, he sees the justice of the peace, of course, as having a very significant role in the judicial system in the province of Ontario. Any time we can make that process of those individuals who become justices of the peace in the province of Ontario—it's very important, because of their significant role, to make it transparent. Of course, it is an appointment process. The more that we can open that up and let people have a better understanding of the process, particularly for those individuals involved in the legal system, I think it's to the benefit of us all.

I know I've had the opportunity, as probably you have, Mr. Speaker: You chat with paralegals who come into your constituency office. Many of them are quite excited about having the status of their positions elevated and having a consistent requirement for those individuals who have become paralegals in the province of Ontario. Often, they're involved in such things as defending individuals who have received tickets for a variety of things. Any time that we can bring some consistency to

that job, I think it's very important, and those provisions of the bill are something that need to be supported.

**Mr. O'Toole:** I'm pleased to respond to the member from Cambridge because, as a practising lawyer prior to joining this august assembly here, he knows of that which he speaks.

I was quite impressed with the comments he made with respect to the evolving role of paralegals. He would know, as I said, as a practising lawyer at one time, that the role of the paralegal today is emerging and it needs to be regulated, for the very reason that he mentioned: to bring credibility and integrity to this emerging profession. The definition of the profession, of course, is that they are by nature self-regulating, and the self-regulation, as he has described, is really what this is about.

As I mentioned in my earlier comments, the ideal state is that that profession would be organized to the extent that they would have their own governance. In this case, they are subordinated under the law society, which, in some of the dealings I've had—and I've read petitions on this—is the integrity of the profession itself. In many cases, it does provide, as he's described the role of the solicitor, who is doing much of what I would call administrative work, more consultation work, providing what would be termed “professional advice”—for a fee, of course; hopefully at a fee that's less than what is currently available.

Really, access to the courts is what this is about at the end of the day. Whether it's in terms of simple mediation or reviewing contract situations, whether it's real estate or more commercial ventures, it is extremely important that they have standards and bring the profession up to a certain degree. In many cases, I said that this bill is a very large bill. That's one of the reasons I believe there are some frailties in the bill, and—

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**The Acting Speaker:** Questions and comments?

**Mr. Phil McNeely (Ottawa—Orléans):** This bill is very important to Ontario and to the problems that we have in our court system. It will address many of them: greater openness, transparency and accountability. It's frustrating for people trying to access the courts in our province, and certainly anything that's going to make it easier and make it more transparent is going to be of help.

I'm an engineer and there are 60,000 engineers, I think, in this province. Under the engineers act we supposedly have a self-regulating body, so we have to be careful when we get into these groups of professionals, because I think the engineering association has taken our government, the previous government, to task for something that started under the Harris government, where we were starting to get involved in the self-regulation. I really believe in self-regulation in these bodies. I think they'll do a good job and I think the 60,000 engineers in this province really deserve that. Sometimes, of course, the legislation has to be changed, but within that legislation we should be looking at self-regulation as much as we can. They'll do a good job if the legislation is in place for them to do so.



The changes in the justice of the peace legislation are important. That was before this House before and I think recent appointments show that. I think we're going to require a higher degree of education. I know a recent appointment at our end had a degree from a university. He was a municipal clerk, he was a councillor for nine years and he was chairman of the police services board. These are the types of people that we want to be justices of the peace, that have that broad experience, have that educational background and are going to do a good job in our courts. I just appreciate the opportunity to speak to this bill and support it.

**The Acting Speaker:** The member from Cambridge has two minutes for a response.

**Mr. Martiniuk:** I would like to thank the members for Timmins—James Bay, Peterborough, Durham and Ottawa—Orléans for their comments. One thing I did not deal with, because we didn't have time, I might just deal with: the justices of the peace. This bill had first reading in October 2005. At that time, the newspapers were full of the problems with the lack of justices of the peace. Things like the region of Niagara—58 court dates were scheduled for closure between January and August because of the lack. This bill doesn't give us more justices of the peace, which are sorely needed, not just in the city of Toronto, but in the region of Waterloo, for instance.

**Mr. O'Toole:** Durham.

**Mr. Martiniuk:** And Durham also. Seventy-five per cent of Waterloo region's intake court dates were cancelled. That was October 2005.

The lack of justices of the peace not only applies to courts, but there is a hidden cost to municipalities, because if police cannot easily get search warrants, various orders that they require to carry on investigations, not only does it take longer, not only does it cost more from a police standpoint, which the municipality ends up paying for, but the quality of the investigation suffers and no doubt there are cases where the guilty go unpunished or unapprehended—and that's not right.

**The Acting Speaker:** Further debate?

*Applause.*

**Mr. Bisson:** I want to thank my colleagues for welcoming me again to the Legislature today, for having an opportunity to give you my thoughts, my views, my comments, share my—

**Mr. Levac:** Wisdom.

**Mr. Bisson:** Well, I wouldn't say wisdom. It would be very presumptuous to say I'm a wise person.

**Mr. Levac:** No, I said it.

**Mr. Bisson:** Oh, you did. But I don't say that. The member from Brant says I'm wise. I don't know. That might be put in a leaflet somewhere and get me in trouble.

Anyway, I want to go through the bill. I want to go through a number of sections of this bill. I want to say up front that I'm a little bit torn with this bill, because there are sections of it that, quite frankly, I support. There are

parts of it that I say are things that need to be done, but there are other parts of it that I really oppose. I'm put in a position where I want to support the parts of the bill that I like, but there are some bitter pills in here that I don't like. I'm going to ask the government at the end of this debate, when we get into committee, if they're willing to maybe sever part of this bill, and we can give speedy passage to those parts, and then maybe those parts that we're not so happy with will go through the regular process.

I know that my good friend the member from Brant is a whip, as I am—we are reasonable people. I know Mr. Miller, the whip for the Conservative Party. We can all get into a room and agree on this, I'm sure, as long as we leave the House leaders out. I just said that for the record: I knew the whip would enjoy that.

Let me go through this. Part of what the government is doing in this bill is trying to find a way to speed up access to justice. We know that the current court system is backlogged, and we know that some years ago there was a real problem with court cases being backlogged, to the point where the Attorney General of the day had to basically dismiss a number of charges that were brought because they had been in the queue for so long and had not been heard. He had to basically dismiss the offences that were before the courts. At the time, it was called the Askov decision. I know that the government is trying not to put itself in that situation again, and I understand that. But there are some parts of this bill that I have a problem with.

For example, one of the things this legislation is going to do is say that if you've been charged with a traffic violation and you decide that you want to go to court and plead your case before the judge, the police won't have to come to court; they will be able to give their testimony by way of teleconference or other such means. I am not a big fan of teleconferences, especially in court. There's a huge difference. The dynamics of the court are such that people have to be in it. It would be like trying to have a debate where members are in their ridings and they do it by teleconference. It doesn't have the same effect, and at the end of the day, it doesn't give you the final effect of what you're trying to do. I think it's important—it's one of the fundamental parts of a court—that if I am charged with something, I have the right to face my accuser, in this case a police officer.

I want to put on the record that this is not meant as a diatribe against police officers. Like you and other members of this assembly, I really believe that police officers work hard. They are overworked—and in some cases, you could even argue, underpaid—and are having to deal with trying to find the time within their busy day to do the policing on the street that needs to be done and also do their job of going to court to testify when somebody says, "I want to face this particular charge and bring it to court," and dispute that the person was in the right.

I've had an opportunity to speak to plenty of police chiefs across this province—a number of them in the city



of Timmins and others—and they tell you the same thing: Part of the problem, as everybody knows, is that police resources are stretched to the limit. That's part of the issue here: Police departments are stretched to the limit when it comes to the amount of cash they've got to operate, and having to send an officer into court is a very expensive thing. I understand that. When a police officer is sent to court, that means that somebody has got to pay the bill and that officer is not available to be on the street. That's a real issue, and we need to deal with that. We need to find some way of being able to give the resources to police departments so that we have the proper resources to put on the street. I think part of this can be dealt with. It's not the testimony issue.

As far as having police officers going to court to accompany people, I think we can use other people to do that, and it has already started, using retired police officers and others as part-timers who come into the system in order to take up some of that slack.

But I think the basic thing of the legal system is that if I'm charged with whatever the offence might be, I have the right to face my accuser. And I don't like the part of this bill that basically says that if I'm charged with a traffic offence, a police officer could give testimony electronically and I get to watch the video replay. How am I going to dispute that? It just seems to me that that takes away from what is one of the most fundamental rights an individual has when they are accused: the chance to face their accuser.

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I understand that there are manpower issues and I understand what the government's trying to get at and I have some sympathy for it, because police officers in our area and our police departments have the same problem. That being said, that's a basic thing. We need to figure out another way around this. I think it would be good to refer this bill back to committee. If the overall objective is that we're trying to free up police officers' time so they can do more policing work, let's bring that back to committee and have the discussion, because I think it's a discussion we have to have. I know that our critic, Mr. Kormos, the member from Niagara—

**Mr. John Yakabuski (Renfrew-Nipissing-Pembroke):** Centre.

**Mr. Bisson:** —Centre; I've never been good with the riding names, even though I've been here for 16 years, but that's another story—is going to have lots to say on that, as will other members of the assembly. But I think we can deal with this in a more effective way, still giving the right to the accused individual to face the person who is their accuser.

The other thing that this bill does—and this is one that I have a great problem with, and it seems that we have a bit of a difference of opinion. I'm going to want to hear from the minister to clarify this. When it comes to justices of the peace, what this legislation says, from what I've read, is that we are going to move, as we have been, towards a full-time-JP system. The only way we're going to have JPs in this province is if they are full-time

bench JPs, which means they will have to have university degrees; they're going to have to be trained to a certain standard; they're going to have to have a certain amount of experience. It is all laid out in the legislation under the section on the JPs.

Again, I have two feelings on this one. I argue that anybody who sits on the bench, first of all, doesn't have to be a lawyer. We have lay judges in this province, as many people know, who do quite an effective job. We decided, when we created our legal system, that there was room to have lay judges in the system for a number of reasons, which I can't get into in the 12 minutes of debate that I've got, but there is a precedent of lay judges. To say that the only way we're going to have JPs is that they can't be lay JPs, I think, is a mistake. We need to look at those people in our society who want to apply for these particular positions. If they happen to be full-time, it shouldn't be excluded because they're not a lawyer. It shouldn't be excluded because you don't have a certain degree in university.

I know a number of JPs whom I've worked with over the years who have not been lawyers, who are not legally trained, who are excellent justices of the peace. I look at Judge Blier, for example, out of Hearst, who was appointed by the Conservative government. Judge Blier, as a full-time JP, is doing a great job in that area. Are we saying that Judge Blier shouldn't have been appointed because he didn't have university or didn't have the required training? We need to deal with that.

I accept the government's argument that we want to increase the level of qualifications and the quality of those people we appoint. I agree, but you can't exclude everybody else. The other issue is, it closes the door on part-time JPs. I've got to say it again. If I'm wrong, I want the Attorney General to get up and tell me so. If the Attorney General is saying to me, "Yes, we will still have part-time JPs," I applaud that. But as I read the legislation, it says that there will not be part-time JPs; they will all be full-time.

What does that mean for a community in rural southwestern Ontario, rural northern Ontario or rural eastern Ontario, wherever it might be? The population in some of those areas isn't great enough. In fact, there's no court for the JP to have a hearing. There are not going to be any JPs in those areas. What does that mean for the carriage of justice in those communities? If you're a police officer in Moosonee, which the Ontario Provincial Police is responsible for policing, and the police need to have a warrant signed, what do you do? We don't have JPs now. We're having to do telewarrants and all that kind of stuff. It's not the best way of dealing with things.

What do you do in a community where a JP is allowed to marry somebody through a civil ceremony? You can't get a JP to do a marriage anymore. There was a point where you couldn't get any civil ceremonies done. Thank God, there has been some movement where we've allowed clerks and certain appointees within municipalities to do that. In fact, in our community my neighbour at the cottage, Lisa Damini, is the one who does the



marriages for the city of Timmins. That has helped a great deal, and she does a great job. But in many communities across Ontario, there isn't that ability. The ability to notarize documents—a very basic thing.

I have to tell you, I represent the James and Hudson Bays. In the communities that I represent, from Peawanuck to Moosonee, you have nobody who is a signing authority, in some cases, to notarize documents. A simple thing like a birth certificate: You can't get a birth certificate in those communities. If you can't get a birth certificate, the child is not registered. If the child is not registered, they don't get a health card. If they don't get a health card, the NIHB program, the non-insured health program, doesn't pay when they're brought into the hospital. That creates a deficit for the operating hospital, which means that the bad old federal government then comes after the hospital and says, "Look at you; you've got a deficit." If they don't have a birth certificate, the band doesn't get funding because they're not registered because they don't have a status card. You can't get a status card unless you've got a birth certificate, and until recently you couldn't do that unless it was notarized in some way. So you didn't have the ability to apply, because there was nowhere to apply, and once you did apply, if you happened to get the form somewhere, there was nobody to sign to say you are who you are. For example, Chief Mike Metatawabin, in Fort Albany, the chief of a community: His son—I think his name is Meshan—who is about eight or nine years old, is not registered because until recently chiefs couldn't sign a birth certificate attesting to who the person is.

I think this idea that you're only going to have full-time JPs is wrong, because it doesn't work in all communities. Do we want to increase the level of qualifications on the bench? Certainly we do. Do we want to raise whatever standards there are? Of course we do. I don't want to stand in the way of that. But what I'm telling you is that it's not in every community that you have the ability to provide full-time JP services. I think part-time justices of the peace played a really good role in the justice system and allowed a number of things to happen within the justice system that were much more conducive to access to justice, especially in smaller communities.

The other thing this particular bill does—I'm looking at my notes, and I just noticed that I already said that, and I don't have to say it again, so I'm moving on.

The other issue is the whole issue of provincial offences. I talked about that quickly, but I just want to come back to it for a second. We're going to make it possible for testimony to be given other than in person. I get back to that point: That's really, really a bad idea. I really feel strongly that if a person has been charged, they're presumed innocent until proven guilty. We have to make sure they have a fair trial, and part of a fair trial is making sure that they have an opportunity to see the people who are testifying against them—whoever is the accuser and whoever brings testimony against the person who has been charged—so that the cross-examination

can be done properly. If you don't have good cross-examination, there are going to be a lot more innocent people going off to jail.

I know some of you are going to say, "Oh, yeah, all those who go to jail are innocent." Listen, I know as well as you that of course there are crooked people out there. There are criminals out there who, with their lawyers, want to take advantage of the legal system. But I propose this: If you have a system that is so restrictive that it puts the defence in a position of not being able to adequately defend the client, well, one day it might be you who are charged and doesn't have an opportunity to properly defend yourself. There have been cases—the Milgaard case and others—where people have been charged with things as grave as murder and in fact were innocent. Because of a failed investigation or a failed court process, the person ended up being charged, and in some cases, when there was capital punishment, was executed. In the United States, it still happens.

So we need to make sure that we provide an adequate opportunity for people to defend themselves. If you can't defend yourself adequately, there is a risk that innocent people will be charged, and I don't think that is the right thing to do, not only for the person who has been charged but, I think, for society.

The other thing, and I put a question mark here, because I really wanted to try to figure out where the government was going with this: Under the reforms to the administration of the courts, there was a section that I think makes a lot of sense. It requires the publication of standards of conduct for deputy judges and case management masters. Basically, they would have to post what they have done, how they have done it and what the results have been, so that the public, if they're wondering why their court case is not moving ahead or there's some sort of bogging in the system, has access to that information in order to determine what's going on. "Is it because the system is prejudiced against me, or is it because the system is backlogged?" We've had it in our constituency offices, where people have come to see us and said, "I've got a matter before the courts, and they just don't want to hear me. I don't ever get my case forward." Is it because the courts are backlogged? Probably. Or is it because somebody hasn't done their job? That happens as well. I think one of the positive parts of this particular legislation that I can support is a mechanism that would make it more transparent for individuals to ascertain, is it a backlog or is it because somebody has not done their job? I think that's good.

**1640**

But there's a question here, and I put a question mark. It says, "Under the current Courts of Justice Act, every change to a court rule ... must get cabinet approval." One of the things we're going to do with this is we're going to say that all those changes to the administration of courts are now only going to have the Attorney General's approval; no longer the cabinet.

I guess you're okay if you've got a great Attorney General. But do you know what? I'm going to propose



that not all ministers are equal and not all of them are great. That could be a problematic issue. If you have an Attorney General who is an activist Attorney General, who decides he or she wants to make a number of changes, they could be done without even cabinet, the government, knowing about it, and by the time you find out, it's too late because you're back into a backlog of courts or you have problems. The point being, nobody has had a chance to vet it other than the Attorney General at the time.

People are going to say, "Somebody is going to say something to someone in cabinet about it." Not always. I've been in government, as have other people around here, and we know how government works. Governments have a large agenda. There's lots of stuff going on, and some of the administrative stuff that we're talking about here probably is never going to see the light of day. So saying that the Attorney General is the only one who is going to have the authority to make changes to how the courts are administered, without cabinet approval, I think could be dangerous, depending on the Attorney General.

I want to end on the paralegals. I want to say upfront that I support the initiative of licensing paralegals and making them self-regulated. I share some of the comments that were made by a previous speaker who said it would be really nice to have paralegals have their own college where they would be self-regulated within their own entity. As I see it, the problem is that there's no entity for them to go into at this point. They're not even properly identified.

We need to start somewhere, because what's clear is that you've got good paralegals out there and you've got some really bad ones. We need to have some mechanism that deals with making sure that there are codes of conduct, that there are standards they must follow, making sure that there is quality for those people who are accessing paralegals.

I believe paralegals can, do and should play a larger role in our legal system, freeing up lawyers from having to deal with things that could be better dealt with by paralegals. I support the initiative to make them self-regulating. I support the initiative, to a degree, of putting them under the auspices of the upper law society, if I'm correct, right? I always get it wrong.

**Mr. Yakabuski:** The Law Society of Upper Canada.

**Mr. Bisson:** The Law Society of Upper Canada. I never get it right. I know where the dining room is, though. It's quite good. There's a nice little white wine, if you go there. Anyway, I won't go there—that's another story. Maybe the Speaker will know what I'm talking about.

**Mr. Yakabuski:** He would know.

**Mr. Bisson:** He would know, I'm sure.

But the point is—I want to put this on the record because it's important—that at one point they need to be totally self-regulating. We need to move this away from the lawyers at one point and we need to give it to the paralegals themselves. I understand why we're doing this at first. I've got a bit of a problem with it, but I under-

stand it. But we need to move it off to them and I think we need something in the legislation to make that happen. Don't make it open-ended, because once the lawyers have got it, they won't give it up, right? We need to sunset, at one point, where it is that we draw the line to where the paralegals play a much larger role in their own regulation.

The other thing I'm happy about, and this part I can support, is that we're going to grandfather paralegals who are there and doing a good job. I think that's good. I think we need to do that, because certainly we've not done that with the Electrical Safety Authority when it comes to the licensing of electricians, of which I am one. They've turned around at the ESA and decided to create a master electrician's licence and they have said, "We're not going to grandfather those people who have been in business for 20 and 30 years." We're going to have to go back and write a test. Well, excuse me, I think it's a bit of an insult to those people who have been doing this business for a lot of years. So to the paralegals out there: Thank God you're not under the ESA and you're going to get grandfathered, because if you were under the Ontario Electrical Safety Authority, you would be like me, scratching your head, saying, "To heck with it. What is up with these guys?"

We're going to have a bit of a problem with this bill in the sense that we need to get it into committee. We're going to have to sever parts of the bill. I see a nod in the affirmative from the chief government whip—well, the deputy House leader. The minute the House leaders get into this, they're spoilers. We need to get rid of House leaders. That's the next motion I want to bring into this House.

**The Acting Speaker:** Questions and comments?

**Mr. Mario Sergio (York West):** I hear very well what the member from Timmins—James Bay is saying with respect to the content of this bill, but as he himself was saying, something has to be done. So the thing to do is, yes, let's debate it; yes, let's see how we can make this better where it needs to be improved; but let's move it on so we can bring it to a stage where it is indeed much, much better for the public to access the justice system. This is indeed the intent of the bill. As the member himself was saying, a number of changes are being proposed, and one of those is with respect to legalizing paralegals, who do a lot of work on behalf of a lot of our constituents and Ontario taxpayers.

There is nothing more fearful than for normal constituents, taxpayers—there is not a lawyer who is not familiar with the intimidation that courts may have on a particular person. This is to make it much easier, much more accessible, and to make them feel much more comfortable to access our justice system. It is the intent of every member of the House to accomplish whatever we can do to better the lives of everyday users, our constituents and so forth, and this would go a long way.

I have to say to the members—all members of the House, as a matter of fact—that this has received extensive consultation with the legal profession, with the



various groups, with community leaders, and therefore we feel it should move on. So I think we should all realize the benefits emanating from the bill, and I would say to the members, let's move it on. Let's move second reading so that we can do a much better job for our people in Ontario.

**Mr. Yakabuski:** I want to thank the member for Timmins-James Bay for his comments on this bill—very informative. He has clearly been doing his homework, as he usually does.

I'm going to have the opportunity to speak to this bill shortly. So I'm going to use a bit of this time to, first, congratulate the member for Sarnia-Lambton in this House, who was recently appointed to the cabinet as the Minister of Culture, and also to congratulate the former Minister of Community and Social Services, who is now the Minister of Education, and the Minister of Culture, who is now the Minister of Community and Social Services and retains the portfolio for francophone affairs.

While I never agreed with him too often when he was the Minister of Education—we have some differences—I do congratulate and commend the former Minister of Education, the member for Parkdale-High Park, for making the decision to seek the leadership of the federal Liberal Party. As fellow colleagues in this House, we know that those decisions are not easy, and while we disagree on many matters of substance in this House, we certainly respect the amount of consideration and thought that goes into that kind of decision. I wish him the very best. Having said that, I will continue to challenge just about everything he's ever done in this House.

As I said, I will have the opportunity to speak to this bill in short order, and I will be doing so at that time.

**The Acting Speaker:** Questions and comments? The member from Brant.

**Mr. Bisson:** I want to hear what you have to say about getting rid of House leaders.

**Mr. Levac:** No, I'm going to leave that alone, because he's my seatmate, and he's going to take care of Brant.

**Hon. David Caplan (Minister of Public Infrastructure Renewal, Deputy Government House Leader):** I'm all in favour.

**Mr. Levac:** The member from Timmins-James Bay brings us some challenges. One thing I want to suggest to him—and it's not an excuse or a rationale or rationalizing it; it's something that I also read in the bill—is that it said that they're going to have provisions in the bill to allow retired justices of the peace to act on a per diem basis. So that's a partial answer to some of his concerns raised about the availability of part-time JPs. But I do want to assure him—and I know he appreciates this—that this will go to committee and that we will be able to discuss. That's what I was nodding about when you suggested that it go to committee. It's going to go to committee, and we're going to be able to hear some of those concerns. I appreciate the fact that you're bringing up those legitimate concerns.

On the paralegal side, in my conversations with some of them, there's one thing that I think—and maybe you

can correct me in your two-minuter. I think they have an association. It's just that not all of them are members of it. That association is actually looking forward to the progress that we are making in this particular field, and I do tend to agree with him that, somewhere down the line, I too would like to see this profession treated as such and not be seen as a lesser lawyer, because that's not the purpose.

**1650**

People misunderstand sometimes exactly what paralegals do. In terms of putting themselves into the system, where they rightfully belong, and the performance of their duties, they are far underappreciated. I would respectfully suggest that some day—and I agree with the member's observations—they too receive their own professional organization and a college-based self-regulating body. I also suggest to you that I agree with your observation that this is the first good step and that we will move on to the next steps to get them there.

Thank you very much for the opportunity to speak.

**Mrs. Liz Sandals (Guelph-Wellington):** I'm pleased to comment briefly on the bill. A couple of issues: First, the whole issue around the appointment of the justices of the peace. I know that in the past, there have been some criticisms in my community around the qualifications of people who have been appointed. Certainly the process in the past has been seen as very much a political appointment, an award for belonging to the right party.

I was very pleased with some of the appointments that were done earlier in our term. Looking at the individual who was appointed in my community, actually to serve in the neighbouring community of Kitchener-Waterloo—she was a member of the Guelph community—I know she was highly qualified in terms of her background.

What we are doing here with this piece of legislation is ensuring that all justices of the peace, as they are appointed in the future, will have certain minimum qualifications. As the legal system has evolved over the years, we are seeing that justices of the peace are having more and more weighty decisions put upon them than perhaps justices of the peace did 30, 50 or 60 years ago. As the system has evolved to justices of the peace making more critical and more difficult legal decisions, it's important that they also evolve in terms of their qualifications, so that they are qualified to make those decisions that we are asking of them, and I'm very pleased that this bill will support that.

I would also like to say that I know the legal community in my riding is quite supportive of the changes we are making with respect to paralegals.

**The Acting Speaker:** The member from Timmins-James Bay has two minutes for a response.

**Mr. Bisson:** I want to thank all the members for their comments. I do stand corrected by the chief government whip. He is right: There is already an association of paralegals. I didn't get into that debate for reasons that you both understand, but, as I was telling the government whip, I didn't want to elaborate on what the issue is.



I think it's important that we recognize that paralegals are professionals and that we need to make sure there is a regime there to regulate the profession so that it's transparent, it has all of the checks and balances that are necessary, and that we—I was going to say legitimize, but I don't think that's right—take away this notion that some, especially in the legal community, have tried to demean paralegals. We need to accept them for who they are. They are professionals and we need to find a way to support their activities within the community, because clearly they are able to deal with a lot of issues that quite frankly shouldn't be dealt with by lawyers and they're in a better position to do it: everything from immigration law to representing somebody at a tribunal or whatever it might be.

Again, I support the sections that say we're going to grandfather some of these people. I think it's a good idea.

**Mr. Yakabuski:** Some of them are grandfathers.

**Mr. Bisson:** Exactly. Some of them are grandfathers and grandmothers.

**Mr. Yakabuski:** Is that a different idea?

**Mr. Bisson:** That's a different idea.

I say to the chief government whip, yes, it's got to go to committee, but we need a little bit of time to debate in this House. There are some things that need to be said. I know my leader, Howard Hampton, and other members of my caucus have some thoughts they want to put on the record. I hope we're not indicating we want to truncate debate. I think we need to have adequate debate in the Legislature to allow people to put their thoughts forward so that when we get to committee we have some direction.

I'll just end on the JP issue. I don't have enough time, but the point I made, and made over again, is that we need to recognize it's not one size fits all. Full-time JPs work in many communities, but in many communities we don't have them because there are not enough people and there are not the court facilities. There's where part-time JPs can come in and augment the system.

**The Acting Speaker:** Further debate?

**Mr. Mario G. Racco (Thornhill):** I'm pleased to speak in favour of Bill 14. During the last election, one of the commitments made by this government was that we were going to make some changes in how JPs were going to be chosen. One of the reasons for that is that in the past there have been some, what I would consider, mistakes made by JPs, who not only seemed to have made some decisions which were not, in my opinion, what the community expected, but, at the same time, there seemed to be inconsistency in rendering some decisions. Therefore, we committed that change would take place, and Bill 14 is attempting to deliver on that. I think we should be applauding and supporting it because of this and because it certainly makes sense.

This bill will replace cabinet approval with giving authority to the Attorney General to do the approval. That will promote more efficient and streamlined rules for the system to carry on.

Also, in regard to medical malpractice tort reform, it will reduce the amount paid to subsidize malpractice insurance for doctors. I think that is certainly what the consumer—the taxpayer, I should say—will benefit from.

As I said, the changes in Bill 14 will make for a more open and transparent appointment process for justices of the peace. It would amend the Justices of the Peace Act by establishing minimum qualifications. Many members of the community have expressed that concern. It would require a university degree or a community college diploma or an equivalent, including life experience and at least 10 years' work experience. We want to make sure that those people who have a significant influence on people's lives have a base that would allow them to render an opinion in the proper way.

Also, it would establish a new justices of the peace appointments advisory committee. That would make the appointment process more open and transparent, as I said earlier, and incorporate community and regional input to the appointment process. In the political arena, we always try to be consistent and represent all areas and all potential interest groups. I think that would go, to some degree, towards doing exactly that.

It would also expand the power of the Justices of the Peace Review Council to allow it to conduct hearings and make dispositions, including recommending removal. That recommendation would be made to the Attorney General. So it's an independent body that would be able to give advice to the Attorney General, a politician, which means that the community, through that committee, would have significant influence.

It would also phase out non-presiding justices of the peace, make all new justices of the peace full-time presiding and allow retired justices of the peace to continue to serve on a per diem basis. We know how important that is in Toronto, in the 905 and probably in other communities in the province where there are a number of cases that need to be addressed and unfortunately, because of the shortage, that has not been possible. Again, that would certainly allow for the changes that are taking place and at the same time would allow the court system to have enough JPs to do what needs to be done.

As you know, since 2004, 23 justices of the peace have been appointed. That is certainly a reflection of the high need of the Toronto and 905 courts, and I suspect that is all over the province.

**1700**

One of the proposed amendments to this act would permit regulations to be made providing that witnesses to a proceeding under the Provincial Offences Act may be heard by electronic means such as video conferencing. I think that's very important, because we should modernize our procedures. In the social policy committee that I was chairing, we used that technology and it was very efficient. We were able to communicate, to see the person, to talk, and the person could make a deputation. We got quite the service, and yet it's very inexpensive. Instead of having people travelling from many parts of



the province, they can go to a location where they can speak to us and see us, and we can do the same. It's very important to modernize our system.

It also affects the administration of justice by permitting alternative procedures to be developed for resolving municipal bylaw disputes, such as parking, without having to go to provincial courts. Again, all these changes will modernize our system. It would regulate paralegal reforms, streamline the justices of the peace system and amend the Provincial Offences Act.

It is the right way to go. Bill 14 deserves support. I trust that when the second reading vote takes place, the House will support it.

**The Acting Speaker:** Questions and comments.

**Mr. Levac:** My colleague outlined some of the important aspects of the bill, and I thank him for that. I wanted to point out that he also brought some concerns up, and I think he's supposed to do that. Quite frankly, his constituency has talked to him and made some points that they wanted him to bring to this place, and he's done that, so I compliment him for that. I think that's what this place should be doing a little bit more of in terms of trying to make sure that the voice of your constituency is heard. I compliment the member for doing that.

In one of the points I spoke of a little earlier, I talked about the JP system. I do want to indicate that there's a new sheriff in town, if you will, in terms of bringing that quality up, with no judgments on those previous JPs who have served with distinction, I would say. The fact is that they've taken those roles very seriously, but there were some concerns expressed out in the community about whether or not we should be looking at some type of elevation of where those qualifications should come from and, perceived or not, whether we're just simply making appointments for the sake of appointments.

We've established something—and you're probably going to hear this for the first time—the JPAAC, which is an advisory council that is going to make sure they follow these outlines and guides. The new JPAAC is going to be struck in order for us to follow those qualifications. We're talking about the establishment of minimum qualifications: a university degree or community college diploma or some type of equivalency—I think that's an important point to make—in terms of experience in life, including life experience and at least 10 years of work experience. I think those types of qualifications speak well for trying to move that forward. In committee, we may find somebody offering something to the effect that 10 years of work experience might eliminate somebody who might have great opportunities. I would challenge us to maybe bring that point up at committee.

**Mr. Yakabuski:** I'm pleased to respond to the comments from the member from Thornhill. It's clear that he's very supportive of the bill, and he appeared to be supportive of the bill in every way. Fortunately, other members, like maybe the member from Brant, agree that there are some improvements that can be made to the bill.

This is a huge bill. It's so big that I had to actually get help here—176 pages, one of the bigger bills we've had

brought forth in this House since the new government was elected in 2003.

**Mr. Bisson:** The new sheriff got to town.

**Mr. Yakabuski:** Yes, the new sheriff came to town.

There's a lot of stuff in this bill. Most people would find it pretty dry, because if you're not a lawyer—but then again, they'd find that about most bills. Except I remember one bill from this session, Bill 3; it was actually a bill introduced by myself. It was a very thin, short bill, but it was a very, very exciting bill. I hope that the government will see fit to support that bill and bring it back to the House for third reading.

As I say, there's a lot of stuff in this bill with regard to regulation of paralegals, appointment of JPs, changing the way people have a trial in a courtroom. There are many things that I believe the government, in many ways, is on the right track on. There are many things in here that we believe we should be supporting, and they're probably long overdue. But there are some issues in this bill that I think can be improved, and we hope that as this bill goes to committee—because we all know it is going to receive a positive nod on second reading—we will be able to make some substantive changes to it.

**The Acting Speaker:** Before I recognize the member from Timmins–James Bay, it has become apparent that many people are not speaking, in questions and comments, to the actual speech that has been made. That is the intent of the two-minute hit. That is what's supposed to be done. I would request that members pay attention to what the person has said in debate and comment on what he has said, rather than making a mini two-minute speech of their own. Having said that—

*Interjections.*

**The Acting Speaker:** That was the intent when this Legislature set up the program: to improve the quality of the debate, not to allow people to make two-minute speeches.

I recognize the member from Timmins–James Bay.

**Mr. Bisson:** Mr. Speaker, you're so right, and I couldn't agree with you more. I would never do that. In that light, in the spirit of your comment, I want to ask the member a question, which is what this is supposed to be all about, and that is on the whole issue of allowing electronic hearings when it comes to witnesses presenting testimony when somebody is charged.

You would know that in my debate I responded to that issue, and I have not heard anybody from the government benches come back and talk about that, and I'd like to hear a bit more. I worry that one of the basic things in our society is that, if a person is charged, there are two things: One is that we presume them innocent until proven guilty, and the way we decide if they're innocent or guilty is supposedly by a fair trial. I wonder how fair a trial is—this is what my question is—if a person who has been charged doesn't have a right to face their accuser or people who are bearing testimony against the individual. This legislation is going to allow, under provincial offences, an ability for the crown not to produce witnesses in court, but rather to have testimony done electronically,



so that the person will sit in front of a camera and give their dissertation as to what the facts were, and that will be the evidence that will be given to the court.

One of the things is that you have to be able to refute the evidence, and part of refuting the evidence is having the person who is giving testimony against you in the court. I want to hear from the member what his thoughts are on that, because I think that's a bit of a slippery slope. I understand why the government is trying to do it: a big part of the issue is freeing up police officers from being in court. I understand that, but the issue still remains that you have to give people the ability to defend themselves. My question to the honourable member is, does he support that provision of the bill, and if so, why?

**The Acting Speaker:** Questions and comments?

**Mr. Sergio:** Mr. Speaker, I have to say that I'm delighted by your attention to the speaking orders in the House, especially when it comes to particular bills. I think it's very appropriate.

**Mr. Bisson:** Oh, quit sucking up.

**Mr. Sergio:** Well, I think we have to commend the Speaker for addressing the issue himself and straightening out the member from Timmins-James Bay, who usually does a very good job himself addressing the various laws. I have to commend the member from Thornhill for his contribution in his statement on the bill.

*Interjection.*

**Mr. Sergio:** Absolutely. I think the members of the House know very well that the process we use in the House allows members only so much time; in our case, two minutes. For the others, even 20 minutes would be impossible to dwell on all the intent of the bill and do a good job, a thorough job, so we have to pinpoint the most important parts. That is why we are saying to the House, something is being done to improve it and to improve access to the justice system at the same time; improve it and make it easier to access the justice system. We are saying that it's a very slow process. We're going to go through second reading and we're going to go through some more hearings. That's when we get input from members of the opposition and the public again. Hopefully, we're going to make it even better so that when it goes to the public and goes to the courts, and especially to the justices of the peace area, it will be much better for the public. I hope that they will support it and we can see expeditious approval in the House.

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**The Acting Speaker:** The member from Thornhill.

**Mr. Racco:** Let me thank the members from Brant, Renfrew-Nipissing-Pembroke and York West for their comments.

In regard to one of the questions, certainly the Attorney General will be considering the comments that have been made by all the members in this House. When the bill goes for comments from the public, comments can be received and, hopefully, more clarification can be provided. The issue that the member from Renfrew-Nipissing-Pembroke raised was a good one; it's a valid one. I see merits. Certainly, proper justice will take place

when the party involved has an opportunity to ask questions, to feel and perceive. Therefore, I'm sure that the Attorney General is aware of this and will take into consideration the comments that any of us have made, or will be making.

I believe that at this point, what we are trying to do is get some comments from members in this House and make sure that they are taken into consideration when changes will be made to Bill 14. Therefore, I again thank all the members for making their comments, in particular the member from Renfrew-Nipissing-Pembroke, for raising what I said and I believe to be very valid questions, which we all should be very much concerned with, because at the end of the day, our objective is to make sure that justice will always prevail and that anyone who is accused of anything has an opportunity to ask questions and have proper answers given in a proper forum, where the end decision will be the proper one.

**The Acting Speaker:** Further debate?

**Mr. Yakabuski:** It's a pleasure to join the debate here on Bill 14. I want to put everybody on notice: You have to be paying attention now, because those two-minute hits, as we call them, will have to be very pertinent as to what I was saying. So I hope you understand it, and, quite frankly, I hope I understand it myself. I'm going to work hard to do my very best to say it in a way that I can understand it.

As I said, this is a very, very large bill that covers a lot of ground.

**Mr. O'Toole:** An omnibus bill.

**Mr. Yakabuski:** An omnibus bill, absolutely—it covers a lot of ground. As I said, people in TV land out there, the general public, would find this pretty difficult reading, from the point of view of it being exciting. However, it is our responsibility as legislators in here to in fact do just that, to look at these bills and try to make a reasonable, significant and relative contribution to make that bill better, and thereby support it, or come to the conclusion that it is beyond repair and not support it.

As I've said, there are many, many things in this bill that I believe the government is moving in the right direction on.

**Mr. Bisson:** Do you mean to the right politically?

**Mr. Yakabuski:** Not likely. But then again, you people always accuse them of doing exactly that, of being the new Conservatives with a red ribbon or something.

With respect to paralegals, there's no question that I think the association of paralegals themselves—I think I've actually got the gentleman's name here. Stephen Parker of what was the Professional Paralegal Association of Ontario said, "The regulation of paralegals will benefit paralegal operations and ensure that the public can more easily access justice services." I would agree with that. I would agree that the regulation of paralegals is a very positive component of this bill. Clearly, I think the association and the profession themselves would share that, because it gives the public more confidence in the services they would receive from paralegals. I myself have dealt with paralegals in the past and I have also



dealt with lawyers in the past, on different matters. For certain matters, there's no question that the service can be provided and received from paralegals every bit as efficiently and as well as lawyers, because they are matters that paralegals probably deal with on a more regular basis. I'm sure they believe absolutely that having a regulatory body will in fact increase the public's confidence in the services they provide, thereby making it more likely that a person would have the confidence to seek the services of a paralegal in a case where they felt that the services of a lawyer would probably be more expensive and out of their reach for certain types of services.

The question does remain as to what is the best way of regulating that body. As I understand it, the recommendation is that the Law Society of Upper Canada would regulate the paralegals. My colleague from the third party from Timmins-James Bay felt that that's a temporary measure, that at some point it should be turned over to the paralegals themselves, that they would be their self-regulatory body. I wouldn't oppose that. Certainly, it would have to be clearly shown that they have reached the stage where they are prepared to do that and have the necessary tools to ensure that that would be done efficiently and properly.

Another issue talked about is the appointment of JPs. There is no question that we have a dire shortage of justices of the peace in this province. I know there have been a number of people from my riding apply for the position of justice of the peace since this new government took office. None has been appointed. I don't know if this is window dressing or an excuse for not appointing new justices of the peace—that we don't have this, that this bill has not been proclaimed—but it was talked about for months and months and only brought to the Legislature last October. The minister has talked about this bill, the Access to Justice Act, since October 2003. So more than two years later, he finally brought it to the Legislature. If he felt there was an absolute, paramount need for this bill to be brought to the Legislature and debated and passed as quickly as possible, why did he wait two years? That was totally unnecessary. We could have been debating this bill some time ago.

Having said that, it is our privilege and our responsibility as the opposition to do just that, to debate this legislation to ensure that at the end of the day—and I agree with the member for Thornhill when he says that at the end of the day we share one common goal and that, ultimately, the legislation that is passed will indeed produce a better justice system than we currently have. That is our goal as legislators: to constantly look to ways that we can improve a system we currently have. And if a system is in need of replacing entirely, as legislators we do that as well. But we do tinker with things, we do enhance, we do improve, and that is part of the role we have as well, because there will be amendments to some acts and the repealing of other acts as a result of this legislation. That is part of what we do, and we have to continue to do that. So I agree with the member for Thornhill and his position on that, that at the end of the

day, that is ultimately what our goal is and what we're searching for.

**1720**

Having said that, we have a tremendous or a terrible—"tremendous" is a positive word, and we don't want to use a positive word in this instance because it's not a positive situation. We have a terrible shortage of justices of the peace in this province, particularly in my area of eastern Ontario. So when you talk about access to justice, we are in fact denying access to justice for that very reason.

The member for Timmins-James Bay spoke about the Askov decision where, because you couldn't get a trial quick enough because of the backlog, cases had to be thrown out. I think that is a section 11 or something today. That is an injustice as well, if we have to throw out cases because of the injustice of not being able to get justice or a proper trial. I know that may sound a little bit crazy, but it is an injustice that we couldn't bring those cases to trial because of our own doing or our own failure to ensure that the system could do that.

**Mr. Jim Wilson (Simcoe-Grey):** Some were drunk-driving.

**Mr. Yakabuski:** Many of them were, of course; and I appreciate the member from Simcoe-Grey bringing that to my attention. A number of those cases were impaired-driving cases where the evidence was very strong and clear and there was no doubt in the mind of the police that they had a strong case, but those cases were thrown out. That is an injustice for all of us when those things get tossed out for no other reason but the fact that we couldn't provide the justice at that time.

Having said that, the job of the police today gets harder and harder. They lay a charge and their evidence is good and we don't have the system to back them up because we don't have enough JPs to do it or we don't have enough judges. We have enough lawyers. There's no shortage of lawyers. I'm not picking on lawyers. But we don't have enough judges and our court systems are clogged up, and that is a terrible thing.

But the flip side of that is something that I would absolutely oppose. I support the police completely and strongly in the work they do, but I don't believe the police or anyone else should be giving videotaped testimony in a court of law. I think it is absolutely a bedrock of our justice system that if you are accused of breaking the law, you have the right to face your accuser and you have the right to cross-examine the witnesses who are giving evidence against you.

They ask, "What about speeding charges?" I would say that in the vast majority of speeding charges in this province, when a person is charged with speeding they know they've been caught. They know that they most likely have no chance of not being convicted because the evidence is usually a radar gun or something—

**Mr. Wilson:** Is there a confession coming here?

**Mr. Howard Hampton (Kenora-Rainy River):** Do you speak with some authority here?

**Mr. Yakabuski:** —but the vast majority of those people never go to trial. They don't go to trial because,



quite frankly, they know, “Yeah, I was guilty. I’m one of the unlucky ones who happened to get caught in that situation.”

I’m not saying myself personally. I’m saying the person might say they might be one of the ones who get caught in that situation—I want to clarify that—so they’re not going to court. However, if that person, on something as minor as a speeding ticket, decides they want to go to court, I believe they have the right to cross-examine the police officer or anyone else who is giving evidence in that case. I believe that’s a fundamental principle of our justice system.

While it may seem like a small matter, I am worried about it being the thin end of the wedge, as they say. So if today we can improve from an efficiency point of view our court system by allowing videotaped testimony in the cases of those people charged with speeding, maybe tomorrow, as that guy on the cooking show would say, we’re going to kick it up a notch. We’re going to kick it up a notch and today—

**Mr. Wilson:** Emeril.

**Mr. Yakabuski:** Emeril Lagasse, yes, my wife likes watching him.

Maybe we’re going to expand that to some other minor charge or sort of the bottom of the pile, the new bottom, above the speeding ticket of today sort of thing. That’s something I certainly would have serious concerns about. I believe our critic has spoken on that as well. But there are many other aspects of this bill.

I want to read into the record a letter that was sent to the Premier, the Honourable Dalton McGuinty, from a group of people, just to indicate clearly that there’s not universal support for this legislation. It speaks to what I say is the absolute need that this be sent to committee for discussion and amendments, and for the opportunity for people to make their positions known to the government.

“Dear Premier McGuinty:

“We are writing as a group of industry and professional associations who are concerned about the potential impact of Bill 14 on our operations and ultimately the consumers of Ontario. We represent thousands of Ontarians who are employed in the financial, insurance, and real estate sectors in every municipality of Ontario.

“Included in Bill 14 are amendments to the Law Society Act that provide the Law Society of Upper Canada with the authority to regulate paralegals in the province of Ontario. While the regulation of paralegals is laudable and a welcome initiative, the powers being provided to the law society are so broad as to encompass the business activities of our industries, employees and members, and the responsibilities of our regulatory bodies.

“Currently we are regulated by the province through such provincial authorities as the Financial Services Commission of Ontario and the Real Estate Council of Ontario; by the federal government through the office of the superintendent of financial institutions; and under a number of acts and regulations. The powers granted to

the law society encroach on these regulatory spheres, as the definition of legal services proposed in Bill 14 encompasses a broad range of documents and activities that our members and employees use in everyday business practices.

“If the powers granted to the law society are used to the extent provided, the law society could impose professional oversight by a lawyer or additional licensing or regulatory requirements on those working in our industries and professions. Consequently this could ultimately increase the costs to those purchasing a home or an insurance policy, borrowing money, attending a hearing, obtaining a release, or granting consent.”

It’s quite a long letter.

“For the first time in Ontario, a very broad definition of legal services is included in legislation to which the law society is granted complete regulatory authority. Schedule C”—I guess if I start it, I better finish it—“of Bill 14, subsection 1(6) specifies that ‘a person provides legal services in Ontario if the person does any of the following:

“(1) Gives a person advice with respect to the legal interests, rights or responsibilities of the person or of another person””—I do that every day and could be in trouble.

“(2) Selects, drafts, completes or revises’ (and then provides a long list of documents that includes those related to a person’s interests in or rights to or in real or personal property, including family property; documents related to a person’s legal interests, rights and responsibilities, and documents used in proceedings.)

“(3) Represents a person in a proceeding before an adjudicative body.

“(4) Negotiates the legal interests, rights or responsibilities of a person.’

“Our members and employees do not engage in the practice of law as currently defined through case law. However, they do regularly select, complete and in some cases revise the aforementioned types of documents. As well, they regularly engage in some activities that may be construed as providing advice, representing another person’s interests or negotiating on their behalf.

“As currently drafted, the only way to obtain an exemption from the proposed legislation is through a bylaw of the Law Society of Upper Canada. The law society is not a body elected by our peers, or Ontario citizens. As such, it is not truly representative of the Ontario populace. Rather, the province must retain the final word on who is exempt from provincial legislation.

“While it may not be the intention of the current administration of the law society to regulate our professions, we cannot be guaranteed that future administrations will not take a different approach or that future court decisions will not make a broad interpretation of Bill 14.

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“As such, we are formally requesting the following exemptions to subsection 1(6) of Bill 14:



“(1) For work that is performed for the person’s own use or to which the person is a party. All other provinces have this exemption in their legislation for legal services.

“(2) For work that is performed by a third party with no fee transacted. Again all other provinces have exemptions in their legislation for legal services performed without a fee.”

That’s the kind of legal work I do. I never get anything for it, but advice is usually worth what you’re paying for it, I suppose.

“(3) For persons or employees of organizations, who are licensed or regulated by a government body or act, but only in respect of the activities so regulated.

“(4) For documents that are insured, such as a mortgage with the protection of title insurance policies.

“We would also recommend that a regulation-making authority be retained by the province in the legislation to ensure that the province, rather than an unelected body, has the authority to make exemptions as it sees fit.

“As such we urgently request a meeting with you to ensure that the bill does not receive third reading without the appropriate exemptions in place. Otherwise there may be negative long-term consequences for consumers of Ontario on the basic costs of a home, mortgage, lease, insurance policy etc., as well as our members and employees.

“We look forward to meeting with you at your earliest possible convenience. Please have a member of your staff contact Wendy Rinella at 905-287-3379 to coordinate the meeting participants and arrangements.

“Yours sincerely,

“Randy Bundus, vice-president, general counsel and corporate secretary, Insurance Bureau of Canada

“Tim Lee, chair, government relations committee, Ontario Real Estate Association

“Rita Minucci, corporate secretary, Association of Canadian Financial Corporations

“Jim Murphy, senior director, government relations and communications, Canadian Institute of Mortgage Brokers and Lenders

“Wendy Rinella, director, government relations, First Canadian Title

“Vince Brescia, president and CEO, Federation of Rental Housing Providers of Ontario

“Steven Offer, executive vice-president, business development, Chicago Title Insurance Company.”

As you can see, there are a number of people who feel quite differently about this bill. My wife is a real estate agent, and there would be implications with regard to the advice they give, for no fee whatsoever, in the normal course of their duties.

I think there are some amendments that would justify being taken into account in the revision of this bill. I hope the government, in committee, will listen carefully to the submissions of those who provide that advice.

Hopefully, as we go forward with this bill, we will achieve the goal that the member for Thornhill and I share: that we’ll see an improvement in justice at the end of the day.

### **The Acting Speaker:** Questions and comments?

**Mr. Hampton:** I listened intently to the content of the speech by my colleague in the Conservative Party. I especially listened when he warned us of the trials and tribulations of dealing with provincial offences; namely, speeding offences. I want him to know that he is not the only member of the Legislature who has had some experience with this, so he should not feel he has some special knowledge or special access to knowledge. He is probably not the only member of the Legislature who has chosen to represent himself when charged in respect of one of these provincial offences. He is probably not the only member of this Legislature to have lost the case when he chose to represent himself on a charge of speeding. I want to commend him for his first-hand knowledge. I want to commend him for the experience he brings to this place, for the wisdom and judgment he has acquired over time. But I say to him, don’t feel you are unique or special in having some access to this knowledge.

More seriously, I think my colleague in the Conservative caucus has outlined a number of difficulties with this bill. I will have more to say on this in a minute, but there are aspects of this bill that are specific and particular, and probably could move through the House relatively quickly, because I think there is widespread agreement on the general concepts, if not the details. But for some reason, the government chose to pick a number of unrelated legal areas and jam them all together in this bill. That’s why it’s going to require some debate and some discussion.

**Mr. Delaney:** The member from Renfrew–Nipissing–Pembroke begins by incorrectly referring to Bill 14 as an omnibus bill. As I said earlier in a response to the member from Durham, perhaps he confuses Bill 14, which is a focused bill dealing with specific amendments to the legal system, with the previous government’s propensity for true omnibus bills, consisting of ominous volumes of substantive changes to legislation across ministerial boundaries, something that Bill 14 does not do.

That said, it’s pleasing to see that the member concurs on the need to regulate paralegals, which the bill does. It’s also gratifying to hear the member concur on the need for more justices of the peace. In fact, I had hoped he would recognize the effort the Attorney General has invested in organizing and documenting the job requirements and qualifications to become a justice of the peace. Why was this necessary? Because prior to the reforms in Bill 14, just about anybody could be appointed as a justice of the peace on just about any basis.

But I’m especially concerned that the member for Renfrew–Nipissing–Pembroke either doesn’t understand the proposals in Bill 14 on video conferencing for witnesses in court or other proceedings, or chooses not to understand them. Video conferencing is not the same as videotaping. The member expresses the concern that witnesses giving evidence via video conference would not be subject to cross-examination, but provides nothing to substantiate this concern. Video conferencing is inter-



active. It allows lawyers, justices of the peace, judges or even mediators to ask questions, live and in real time, of witnesses. Video conferencing simply affords a mediator, a judge or a justice of the peace access to someone who might otherwise not be in court at all or for whom the expense or inconvenience of being in court would make the exercise infeasible, and in fact provides for better quality of justice.

**Mr. O'Toole:** I believe the member from Renfrew–Nipissing–Pembroke quickly revealed his comfort in dealing with court issues, and I respect that. But I think one thing that always sticks in my mind is that justice delayed is justice denied. What this bill does, in the five sections of the bill—a very, very comprehensive omnibus bill that was hastily drafted. In fact, one of the commentaries in the media says that the minister, the Attorney General, should be charged with speeding because he was drawn to bring this bill in rather hastily. As such, we all understand here that it will have to go to committee to be seriously modified.

If you look at some of the comments in the media on this—and what the member from Renfrew–Nipissing–Pembroke was trying to point out is that, as I said, justice delayed is justice denied—what they're saying is that in many cases where there's no JP available to deal with a case, it's a cost that's being shifted down to the municipality, because police officers and others are delayed because there's no JP.

In fact, if you look at Robert Benzie's article from October 31, 2005, probably one of the better ones, the bill introduced—

**The Acting Speaker:** Honourable member, you may not have been present in the room when I clearly enunciated that you have to speak to the what the member spoke to in his speech. Stop the clock. You just can't wander on. He made no such reference to such writings by Mr. Benzie or others. I would request that you comment on his debate and either say that you like it or you don't, but on what he had to say, not on what you have to say. This is not an opportunity for a two-minute speech; it is an opportunity for questions and comments.

*Interjection.*

**The Acting Speaker:** I have just been reminded; I also do not believe you are in your seat.

**Mr. O'Toole:** Actually, I am.

**The Acting Speaker:** Well, I think you will be. Please continue.

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**Mr. O'Toole:** Actually, the Speaker took more time than I did, and I mean that respectfully. And that's fine.

The member from Renfrew–Nipissing–Pembroke knows full well the proceedings that occur in court; I won't go down that road. But I was trying to make the point, with due respect, Speaker, that with the insufficient number of JPs, which this government has failed to do, it's denying justice. That's really the point. Whether it's in highway traffic court or a hearing for some kind of restraining order, that's really the very substance.

I agree primarily with many of the comments the member from Renfrew–Nipissing–Pembroke made.

**The Acting Speaker:** Questions and comments?

The member from Renfrew–Nipissing–Pembroke has two minutes in which to respond.

**Mr. Yakubuski:** That speech of mine must have been so acceptable that the government only wanted to put up one speaker towards it. But I thank the members for Kenora–Rainy River, Mississauga West and Durham for their comments.

I did want to speak to the comments by the member from Mississauga West. I don't think that at any time did I say that I support exactly what the government is doing with regard to JPs. I said that we have a severe shortage in the appointment of JPs and that the government has not done enough to speed that up and that the minister has delayed this bill far longer than is necessary.

On his comments on video conferencing for testimony, when we debate in this House, we face the people across the floor, across the aisle. We face them. We deal with them on a person-to-person basis. Whether we want to call it videotaping or not—the member from Mississauga West is Mr. Technicality. He likes to have all the t's crossed and the i's dotted. But the point I'm making is very clear: The person should have the right to face their accuser, not a television or some kind of monitor—to face their accuser. That, to me, is the fundamental basis of our justice system. You should have the right to face your accuser and your witnesses, not by television, not by video, but face to face in the kind of justice system that we have.

The member for Durham of course clearly indicated that he agreed with, almost point by point, everything that I said in my speech. I want to point out to you that on that basis I agree with everything the member for Durham said as well.

**The Acting Speaker:** Further debate?

**Mr. Hampton:** I'm pleased to be able to participate in this debate this afternoon, although I must admit I do not bring the level of personal experience that my colleague from the Conservative Party brings to a number of these issues. Nevertheless, I shall try to muddle through with the limited experience that I have had.

Let me say at the outset that I think the government has made a mess with this bill. A number of us in this Legislature have had the opportunity, over and over again, to think about and discuss a number of the issues that are raised in this bill. In fact, there is probably near unanimous agreement on a number of the measures that are contained within this bill, and if those measures had been brought forward in separate bills, they probably could have been dealt with fairly quickly by the Legislature. But for some reason, the Attorney General and the government have chosen to jam together in one bill a number of unrelated issues, unrelated topics and unrelated legal legislative provisions. They have taken what should have been a relatively simple and straightforward process and turned it into one which I think has the potential to become quite complicated. In fact, there are



some provisions contained within this bill that are likely open to constitutional challenge, will be constitutionally challenged and will be the subject, I predict, of some fierce debate before committee.

Let me just give you an illustration of the illogic that has happened here. The government has jammed together amendments to the Courts of Justice Act, the Justices of the Peace Act, the Public Authorities Protection Act, the Law Society Act and related amendments to other acts, amendments to the Limitations Act, the Provincial Offences Act and the Legislation Act, 2005. What could have been relatively straightforward debate and discussion on a number of these topics has, in effect, been turned into a much more complicated process.

Let me give you an example of something which I believe could have been proceeded with with relative speed: the Limitations Act. It's clear that the Limitations Act was subject to—

*Interjections.*

**The Acting Speaker:** Order, please. I wonder if the honourable minister would mind taking his seat. There's a lot of noise. I'm having difficulty hearing. Please continue.

**Mr. Hampton:** The Limitations Act was last revised in 2002, and was subject to some debate and discussion. We understand that what is being presented here is simply a housekeeping amendment. Well, a housekeeping amendment probably could have been whistled through the Legislature in relatively short order and not subject to ongoing discussion.

Similarly, I think there is widespread agreement that there needs to be some form of regulation of paralegals. I think even paralegals would like to see some form of regulation so they know where they stand in terms of their own practice, where they stand vis-à-vis lawyers, and in terms of whether or not they can be prosecuted and otherwise punished for engaging in certain types of practice. I think there's widespread agreement on that. If the government had proceeded simply with a paralegals bill, that bill likely would already have been passed by this Legislature and would have been the law of the province. But once again, the government chose not to proceed with something which has, I believe, consensus, if not unanimity, and they chose to make the process much more complicated. All of those folks across the province who were hoping to see some concept of paralegal regulation, whether they be paralegals themselves, consumers, lawyers or simply interested in an orderly extension and provision of legal services, I think have been disappointed by the process the government has chosen.

I want to deal with what I think are some of the more serious issues that should have been addressed by this government. Anyone who has been in Ontario's criminal courts knows that our criminal courts in this province are increasingly backlogged. On an almost daily basis now, fairly serious criminal charges are being withdrawn or dismissed because the government is increasingly having trouble providing trial within a reasonable time, which is

required under the Constitution of Canada. This has become a real problem. I was hoping that, with a bill that is 176 pages long and deals with a number of legal topics, this would have been addressed by the government, that we would have seen some provisions in this legislation to address the increasingly serious backlog in our criminal courts. Yet there is nothing. There is virtually nothing in this bill that will address the increasingly serious backlogs in our criminal courts.

What the government has chosen to do, however, is to focus on the Provincial Offences Act and provincial offences court. For people at home who don't know what provincial offences court is and what the Provincial Offences Act is, for example, the Highway Traffic Act is a provincial offence. Someone might say, "Oh, well, that's not very serious." In fact, it is serious. If someone is charged with careless driving, they can lose their licence, they can receive a substantial fine, they can have their insurance rates go through the roof, and it can become a very serious financial experience for them that could actually result in someone losing their job, because in many places in Ontario, if you do not have a driver's licence, that shuts you out of a number of possible occupations. And if you lose your driver's licence, you can also lose your job. So it's the Provincial Offences Act and the Highway Traffic Act.

**1750**

It's also the Occupational Health and Safety Act. This is a serious matter because people die in our workplaces. In my own constituency, in the last four or five years, a number of construction workers went to work at the Dryden paper mill. They were involved in a construction project. It now turns out that literally dozens of these workers are very, very sick because of some of the toxic substances that they inhaled while they were in the workplace. In fact, some of them now are physically disabled and others have died. On the record so far, at least two or three have died, and there is evidence that their deaths are connected with the toxic substances that they inhaled or that were otherwise consumed by their bodies while they were working in this workplace.

So the Occupational Health and Safety Act is fairly serious legislation. Indeed, someone convicted of a serious offence under the Occupational Health and Safety Act can go to jail, or a corporation can experience very severe and hefty fines, or someone can have their professional career ruined. This is serious legislation.

One would like to think that something like the Occupational Health and Safety Act or the Highway Traffic Act was being addressed in a most serious way by this government. I think people would, in that context, be disturbed to see that what the government—the McGuinty government, which likes to pat itself on the back and promote itself as being all about fairness and justice—is actually promoting and wants to see as a result of this legislation is that someone could present evidence, not in the full presence of an accused person or an accused person's lawyer, but by videotape or even over the telephone. It's a fundamental hallmark of our



justice system that when you are accused of something, the accuser must stand in court and present evidence that is available to everyone in court, where the judge or justice of the peace or trier of fact can assess the credibility, the honesty, the accuracy and can not only look at the spoken words but can also assess the body language and the nuances of what is being presented in evidence. That's a fundamental hallmark of our justice system.

The McGuinty Liberal government that often pats itself on the back and says that it's all about fairness and justice would now remove that fundamental hallmark of our justice system in the case of these very serious offences. So someone could stand accused of a serious offence under the Occupational Health and Safety Act and never be able to confront the accuser in open court; never be able to subject the accuser to the direct observation of a judge, to direct examination, to direct cross-examination. The body language, the nuances, the level of voice, the willingness of the accuser to look someone straight in the eye or not look someone straight in the eye, these things would now be absent.

I say to people at home—and let's be clear: Most people in Ontario will never end up in criminal court. The vast majority will never have an experience in criminal court. But I think I can say with equal certainty that many people will be charged under the Provincial Offences Act. For most people in this province, their experience with the law and especially with the punishment aspect of the law will come under the Provincial Offences Act. Whether it be speeding tickets, as was spoken about so eloquently by my colleague in the Conservative caucus a few moments ago; whether it be the Occupational Health and Safety Act; whether it be in a landlord and tenant dispute, for example; or whether it simply be in terms of a parking fee and the fairness of that, that's where most people will have their experience with our provincial offences and with our court system. To deny people the capacity, the ability to directly confront an accuser and to test, not only the accuracy of the accuser but the credibility of the accuser and the nuances, the body language, the clarity of voice, the willingness of the accuser to look a questioner, an examiner or a cross-examiner in the eye, I think is to deny fundamental justice.

It also creates a very bad precedent, because if you can create this precedent in this context, let me tell you, somebody who is interested in saving money in the criminal justice process or in our justice process generally will very soon come along and say, "Why don't we expand it to something else? Why don't we add it on to something else?" Very soon, you have one of the fundamental hallmarks of our justice system being erased by a Liberal government that wants to promote itself as being about fairness and justice.

There is a very fundamental problem here. People at home who may be listening tonight should think seriously about what the McGuinty government is attempting to do here. I want to be very clear with people on what this is all about: This is all about the McGuinty govern-

ment saying, "We'll sacrifice some of these fundamental hallmarks of our justice system because it will give us some money over here." I don't think we should ever, ever sacrifice the hallmarks, the fundamental principles of our justice system in order that the Minister of Finance can say, "I found a few bucks." It is far too precious for that.

I want to give an example of another situation where I'm sure the government would say, "Oh, this is just an administrative measure and there's nothing serious happening here," but it is a serious measure and I want to put it on the record. The government says—this is what I also find annoying about these omnibus bills. Some of the government members say this is not an omnibus bill. Look, there's a schedule A to this bill, schedule B, schedule C, schedule D, schedule E and schedule F. These schedules all deal with different bills that have nothing to do with one another. Some are private law issues, some are public law issues. They're not even more or less in the same category of classification of law. I think that's why these issues become complex and why they have to be subjected to detailed debate and discussion.

"Schedule A, Amendments to the Courts of Justice Act": The government's trying to say, "Oh, nothing fundamental here. This is just administrivia; this is just housekeeping." I want you to know about one of the housekeeping measures. I refer to section 76 in schedule A. I want people at home to know what section 76 does. What section 76 essentially does is that it leaves it up to an officer of the court—maybe I can actually turn to this section; I want to be quite accurate here—to decide what should happen to documents that may have been entered into evidence in a court. It's entitled, "Destruction of documents, etc."

"76. Documents and other materials that are no longer required in a court office shall be disposed of in accordance with the directions of the Chief Administrator, subject to the approval of,

"(a) in the Court of Appeal, the Chief Justice of Ontario;

"(b) in the Superior Court of Justice, the Chief Justice of the Superior Court" etc.

You're essentially putting a court administrator in the position of saying, "I don't think these documents are very important anymore." So what may have been evidence or what may have pertained to evidence in a serious trial can then, by an almost administrative decision, be destroyed.

I want to read what those of the Association in Defence of the Wrongfully Convicted have to say about this. And who are the wrongfully convicted? We've had several examples in this province; we've had several examples internationally: Hurricane Carter, now a citizen of Canada, a resident of Ontario, wrongfully convicted in the United States, many feel because he was a black man and it became convenient under the circumstances to charge and convict a black man at that particular time in that part of the United States. He spent many years in jail—many, many years in jail—before it was finally



recognized that he'd never received a fair trial and that the police officer who testified may have had an animus towards him unrelated to the actual events that took place.

So Hurricane Carter was released after many years, after people—volunteers—did a great deal of work uncovering the evidence. This is what the Association in Defence of the Wrongfully Convicted say: “The court files often contain critical documents which may not be available from other sources. In some cases, the court file may contain biological exhibits, which could be used at some future time for DNA analysis or other scientific testing. For these reasons,” the association “believes that it is entirely inappropriate to leave the disposal of court file materials to the ‘discretion of the chief administrator,’ whether or not that discretion is subsequently approved by a judicial officer.” The association “submits that discretion has no place whatsoever in this context.”

What they're saying is that sometimes the only way you can prove someone who has been wrongfully convicted has been wrongfully convicted and is innocent

is by going back to court documents, court files and things related to court documents and court files, and going through those with a fine-toothed comb. Yet we have the McGuinty government saying, “Oh, it should be all right for an administrative officer of a court to simply order that these documents, this evidence be destroyed.” I think before this provision is allowed to proceed, we should ask people like Hurricane Carter to come here to the Ontario Legislature and present their view, present their evidence. I can think of many others who have been wrongfully convicted whom we should invite here to the Ontario Legislature and ask for their evidence, for their view, because I'm quite convinced that if they were able to come here and present their evidence, we would find that what the McGuinty government thinks is just admin-istrivia is a very important and fundamental legal issue.

**The Acting Speaker:** The time now being 6 of the clock, this House stands recessed until 6:45.

*The House adjourned at 1803.*

*Evening meeting reported in volume B.*

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**Mercredi 5 avril 2006**



Speaker  
Honourable Michael A. Brown

Président  
L'honorable Michael A. Brown

Clerk  
Claude L. DesRosiers

Greffier  
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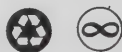
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# LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 5 April 2006

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 5 avril 2006

*The House met at 1845.*

## ORDERS OF THE DAY

### EDUCATION STATUTE LAW AMENDMENT ACT

(STUDENT PERFORMANCE), 2006

LOI DE 2006 MODIFIANT DES LOIS  
EN CE QUI CONCERNE L'ÉDUCATION  
(RENDEMENT DES ÉLÈVES)

Resuming the debate adjourned on April 3, 2006, on the motion for second reading of Bill 78, An Act to amend the Education Act, the Ontario College of Teachers Act, 1996 and certain other statutes relating to education / *Projet de loi 78, Loi modifiant la Loi sur l'éducation, la Loi de 1996 sur l'Ordre des enseignantes et des enseignants de l'Ontario et certaines autres lois se rapportant à l'éducation.*

**The Deputy Speaker (Mr. Bruce Crozier):** The member for Trinity–Spadina.

**Mr. Rosario Marchese (Trinity–Spadina):** It's a pleasure to continue with the time that I have left to speak to Bill 78. I welcome all of the Liberal backbenchers and ministers who are here to listen to this debate. I'm sure they will find it interesting.

I welcome the citizens of Ontario because I know there are a lot of people watching who really care about education, and I want to provide some insights that they're not going to be able to get from the Liberal backbenchers and/or the minister and/or ministers.

I want to be as helpful as I can to those Liberal members who are interested to know the facts around some of these issues so they can learn a little more about a field that I think they should know a lot more about, and learn more about a field that I don't think they get even from their own minister or will get from the minister just appointed.

I talked the other day about Bill 78 and said that there were a few things that I agreed with, but that even in those matters where I agreed with them I still found disagreement. I began to talk about that.

I did say that we supported the matters connected to trustee honoraria. By regulation, they will have boards consider the manner in which consultations will happen so that trustees could increase the \$5,000 honorarium that the Conservatives had set into place. They tell us that,

through regulation, we will know about what caps there will be. We hear through the background that the caps are likely to be \$20,000 and that there will be differentials, recognizing that some boards are bigger than others and recognizing that some boards have greater responsibility than others, based on size mostly, and I think that that was a very useful thing to do.

I pointed out that trustees serve an important role in the educational system, that education is political and that many of them do a full-time job and they deserve a remuneration that is in keeping with the time commitment that trustees make. I did point out, however, that while they speak about partnerships with trustees and teachers, they have kept a clause that deals with personal liability of members of the board, and that clause reads as follows: "If a board that is subject to an order made under subsections 257.31(2) or (3) applies any of its funds otherwise than as the minister orders or authorizes, the members of the board who voted for the application are jointly and severally liable for the amount so applied, which may be recovered in a court of competent jurisdiction."

My point about this is that it has no respect for boards. There is no partnership. When boards disagree with this government, this ministry and this minister—the former one we just had a couple of days ago—they apply the law and the strength of the law. It is this section that the Peel board recently was subjected to. The minister, when he could not get agreement from the chairman of that board and the board itself, in spite of his efforts to have them submit to his power, in spite of the efforts that his assistants made to get the board to find a way to suppress that \$15-million deficit they said they could not but keep because they were unwilling to make the cuts, the minister went in, with the power that he has, and told them, "We're going to send an investigator." I've got to tell you, Speaker—and you don't know this necessarily—that your former minister would often bully anybody who disagreed with him, as indeed he bullied the Peel Catholic board. Some members might find it hard to believe, including some of the staffers who may work for the ministry, or who may not want to say so publicly, but the former minister was a bully.

1850

**Hon. Mike Colle (Minister of Citizenship and Immigration):** Oh, come on. He was a lot of things, but not a bully.

**Mr. Marchese:** No, no. Minister of Citizenship, I tell you sincerely: He's a bully. He was. Not only was he a bully but he was a serious micromanager, to the point of



being pathological, almost. Recall that he used to attack the Tories for having such an illness. He wasted no time in picking up the same illness that plagued a lot of Conservative ministers—not all of them, but some of them. Mr. Kennedy was indeed one of the best at doing it. God bless him. I wish him luck in his future endeavours. But I know first-hand that in his meetings with the Peel board he was not gentle, he was not kind, he was not nice. He was a bully. He told them, “Look at all the money we’re giving you. You’re not going to have a government like ours ever again.” He reminded them that the Conservative government was so bad that they wouldn’t want to have such a government ever again and that, God knows, they wouldn’t want to have a revisiting of such a government on this place and on our school boards. The point Monsieur Kennedy was making was, “Just accept what we give you, because it’s the best you’re ever going to get.” Even if it isn’t enough, he was trying to persuade the board, the trustees and others that what they were getting was good and they shouldn’t be complaining; they should scurry along in their humble way back to their own workplaces and be happy with what the former minister was saying.

To any member who wants to stand up and say that I’m not speaking to the bill, I say that personal liability of members of boards is still in the bill, and I’m speaking to that, member for Mississauga West. If he follows this speech carefully, he’ll be careful not to move a motion, but he could; I welcome him.

**Mr. Jim Wilson (Simcoe–Grey):** Don’t feed the bears.

**Mr. Marchese:** No, I welcome his intervening in his best way possible, because any contribution is better than nothing, I suppose.

My point, to the member for Mississauga West, is that whenever your former minister didn’t get agreement, he was there saying to them, “I’m going to beat you up, and I’m going to beat you up good.”

So the investigator comes up with a report—all the good teachers that are here—and the investigator said that in order to deal with the \$15-million deficit, “the board continue with a hiring freeze.” I know the member from—Kathleen Wynne—

**Hon. Mr. Colle:** Don Valley West.

**Mr. Marchese:** —Don Valley West, was saying, no, what our leader was saying today isn’t true. I’m reading from the report, member from Don Valley West, should you be listening to this. The investigator said that “the board continue with the hiring freeze.” It’s a serious problemo, in my view. Are we saying to boards, whenever they’ve got a problem, that maybe they should consider a hiring freeze as a way of dealing with it, even if a hiring freeze entails the lack of staff that might be needed wherever they may be or for whatever purpose they might be used? The investigator continues, “that the continuing education budget be reduced....” Interesting. I thought that continuing education was something of value to the minister, something that we value as educators and as politicians. He continues: “That the board

defer some maintenance projects.... That the board reduce its supply teaching budget.... That the board reduce its complement of vice-principals.... That, with regards to custodial and maintenance staff, the board return to 2002-03 staffing levels”—cut by \$2.6 million; “That the board reduce the cost of the present reading recovery program,” \$2 million. It goes on and on.

The point I make here is that boards are having a hard time making ends meet, but if they don’t respect the government through its powers and its desires, the government then says, “We’ve got a clause here to take care of you.”

Moving on to other issues, the government says it wants to introduce teacher induction programs designed to replace the teacher qualifying test that the Conservative government introduced when they were in power.

**Mr. Bob Delaney (Mississauga West):** You’ve got to be in favour of that.

**Mr. Marchese:** The member from Mississauga West is participating. This is good, because it means he’s listening, and that’s a good thing.

When the Tories were in power, they designed a so-called test, to test new teachers. What I want to say to the member from Mississauga West, because he may or may not know this, is that 99% of new teachers passed that test. So it’s clear to me—and clear to the member for Mississauga West, because obviously he now knows—that that qualifying test was silly, that it wasn’t helping anybody. It was simply a political manoeuvre designed to convince the public that they were being tough on teachers and that they were testing them and, “Don’t worry; we’re going to make sure we only get the best in our school system.” The problem is that we were wasting a whole heap of money on testing teachers. We found that 99.9% of those teachers passed the test. What’s the point of having money wasted on a test like that?

So the government introduces a teacher induction program. It’s really professional development, mentoring programs and the like. We don’t have anything yet. The bill is vague; this is true. But it’s a good thing. I’m assuming that the new minister is going to get on this issue right away, and that, given that it’s going to cost a couple of bucks, the member from Mississauga West is going to go to the new minister, Minister Papatello, and say to her, “Look, this induction program is going to cost a couple of bucks. I hope you’re going to give boards some money to deliver the program.” You’re going to do that, aren’t you, member from Mississauga West? You wouldn’t want the boards to be stuck with a program for which they have to pay, would you?

I am looking forward to the member from Mississauga West and other members in the backbenches who are education specialists to make sure we don’t download this responsibility to the boards of education, knowing full well that they are starved for cash. All the good Liberal members who are here have now heard, and they will pass it on to Minister Papatello. They must be hearing from their own boards too about some of the problems they’re having. I will get to that, as I can, to be helpful wherever I can, member from Mississauga West.



Another matter that has been introduced is the Ontario College of Teachers. I should point out for the record that New Democrats said that the college of teachers should have teachers as two thirds of its members. We make no bones about it; we don't hide from that. That was our platform in the 2003 election. I believe that the college of teachers ought to be represented by teachers. I don't agree with the Conservatives when they say that we now are going to have a highly politicized body of teachers. Quite frankly, I don't know what the Conservatives think these teachers are going to do. What do they think the teachers in this college of teachers are going to do to manipulate the teaching system, to protect teachers from I don't know what, to somehow devise a system to hurt students, maybe to hurt principals and maybe to hurt superintendents and directors, maybe to go after trustees, maybe to go after politicians? I don't know what they think this college of teachers is going to do. They're so frightened. Mr. Klees is so frightened of this that he has had a question here today. I've got to tell you, I'm perplexed by the Conservative position, but that is another matter. That is another matter.

**1900**

Nineteen out of 37 isn't a great majority, but there is one more that otherwise they would not have. So it's a simple majority. I, quite frankly, think that while it doesn't go as far as we want it to, it still gives teachers a majority, and I think that's a good thing.

I should point out, for the record, that when the college of teachers was proposed by the previous government, I supported it. I believe that boards of education have a lot of powers to do the job that the college of teachers is doing. I believe that. So, in many ways I thought that it is a redundancy to have a college of teachers. It really is. On the other hand, I thought that if the government wants to introduce a college of teachers, okay; it's not a big problem. We're going to give work to some people; they're going to be doing something; God bless. Put them on.

I'm not really that tied to this whole issue of the college of teachers because, quite frankly, I don't see them as a threat. Most people don't know what they do. Most people don't know they exist. Most people won't ever hear from them. Most of these issues get dealt with at the local board level by the trustees of most local boards. Some issues may get to the college of teachers—

*Interjection.*

**Mr. Marchese:** —and there you are. Okay.

But here's where my criticism of the Liberal government is in this regard. Member from Ancaster, here's my criticism. You are so frightened of the Tories that you now are going to force the teachers who are going to be part of this college to take an oath. I find that silly. They have to take an oath to reaffirm their commitment to serve the public interest. I've got to tell you, I find that silly; I really do. But the idea of taking an oath is designed to appease the Tories or to appease the critics. So now that they are duty-bound to take an oath, not yet determined, we are really going to make sure that those at the college of teachers are going to represent the public

interest and not themselves, as if to say, member from Ancaster and all the other titles that go with it, that we don't trust the college of teachers; that we don't trust the teachers.

**Mr. Ted McMeekin (Ancaster–Dundas–Flamborough–Aldershot):** You take an oath.

**Mr. Marchese:** Sorry? There was—okay. There was no oath before, but now that they've given the college of teachers a majority of teachers, they want to balance it by saying, "In order to protect ourselves, as Liberals, from the criticism of Tories, we're going to introduce an oath, and that will protect us, Liberals, from them, Tories, when they accuse us that somehow these teachers might not have the public interest at hand." I want to tell Liberals hearing this, watching this or in this chamber: It's silly what you're doing.

Not only that; you compound the silliness by introducing yet another layer of bureaucracy called the public interest committee. They're going to hire another three or five people and give jobs to a lot of good people who are out there looking for work—and I understand that. It's a good public works committee—public interest works committee—and they will be highly paid. I have no doubt that they will be well paid. They will prescribe the form of the oath as part of their job, they will determine the contravention of that oath, and also they're going to be governing conflicts of interest around issues presumably of the oath.

I've got to tell all the good Liberals who are here listening—maybe not listening—and those watching: That's the silliest thing I've ever heard. Not only do they create an oath that means nothing, but they're going to create another body, a public interest committee, highly paid, three to five people—to supervise whom and to do what? All to protect themselves from the Tories whom they fear, when they're subjected to the attacks by the Tories saying, "We now have a highly politicized body and we need to have a depoliticized body."

Are you disagreeing with me?

**Mr. McMeekin:** Yes.

**Mr. Marchese:** I'm looking forward to the two-minute response from one or two fine Liberals on the backbenches just to see what they have to say about this added layer of useless bureaucracy, which we will attack, which I will attack viciously when we get into committee. I have to tell you that.

There you go on the college of teachers. I should point out to all the fine Liberals who are here that I introduced a bill today that would have oversight by the Ombudsman over educational matters. Why wouldn't they pass such a bill? Why wouldn't they move such a bill themselves if they are truly interested in the protection of students and parents, to help students and parents when they have a grievance, be it of a nature having to do with ESL or the lack of ESL programs, be it of a nature having to do with special ed or the lack of services of special ed across Ontario? We know that loads of boards are deficient in the area of providing special education services. We know that the Safe Schools Act has presented many problems vis-à-vis the racial profiling of students who



are black or people of colour in general, and that young students with disabilities are disproportionately targeted for suspensions and expulsions.

If you did a little bit of that kind of work and if you introduced a motion that says, "We're going to have oversight of education by the Ombudsman," I think that would be a good thing. But you didn't introduce that. You're introducing another layer of bureaucracy, and I don't know what we're going to do to pay them a good salary. I know they'll be looking forward to earning good pecunia on that committee.

I've got to tell you something else. It would be so nice if the Liberals in this chamber could introduce a motion that would keep a Liberal promise having to do with creating a standing committee on education. I know the member from Ancaster made reference to this, but I've got to tell the member from Ancaster, it's not in this bill. It's not here. I'm not convinced that your former minister would have done anything about it in spite of my entreaties over the years to say to him in various committee hearings, "Gerard, when are you going to keep that promise to have a standing committee on education?" He would say, "Soon."

It's like Michelangelo. When the Pope went to Michelangelo and said, "When is this all going to be finished?" he screamed from the top, "Soon." It took him two years. Michelangelo was able to paint the Sistine Chapel faster than this Liberal government is able to produce a standing committee on education. We still don't have one, even though it was a Liberal promise in the 2003 campaign. I've got to tell you, member from Ancaster, it's not coming. That committee is not coming. Ms. Pupatello, the new minister, has no clue about this committee, and I can guarantee it's not going to come under her stay in that ministry.

We talked about the trustees. We talked about the induction programs. We talk about the college of teachers. We talked about the public interest committee. I don't know what this government is proud of with this bill. I really am not convinced of it. But let me get to a few other matters that are equally important.

There is a section in this bill, which I will find momentarily, that speaks to the new powers of the government in relation to quite a number of matters. It's subsection 11.1(1), regulations re provincial interest: "The Lieutenant Governor in Council may make regulations prescribing, respecting and governing the duties of boards so as to further and promote the provincial interest in education," and then it lists them.

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"(2) A regulation made under subsection (1) may require a board to"—these are the prescriptive elements and what we call the centralization elements that the former micromanager is putting into this bill:

"(a) adopt and implement measures specified in the regulation to ensure that the board's funds and other resources are applied,

"(i) effectively, and

"(ii) in compliance with this act, the regulations and the policies and guidelines made under this act;

"(b) adopt and implement measures specified in the regulation to ensure that the board achieves student outcomes specified in the regulation"—I'll get back to this in a minute. I'm just reading the list for the benefit of Liberals listening and the citizens interested.

"(c) adopt and implement measures specified in the regulation to encourage involvement by parents of pupils of the board in education matters specified in the regulation;

"(d) adopt and implement measures specified in the regulation with respect to the provision of special education services by the board;

"(e) adopt and implement measures specified in the regulation to promote the health of the board's pupils"—God knows what this is, but it sounds like gym classes.

"(f) adopt and implement measures specified in the regulation to promote the safety of the board's pupils and staff"—I wonder what that means, but we'll see.

"(g) publish reports respecting the board's compliance with regulations made under this section, in accordance with such rules about form, frequency and content as may be specified in the regulation."

So what a number of people are saying, after hearing all of these new centralized powers that the government is giving itself, is, "What is left for boards to do?" The ministry can unilaterally implement measures in every field it wants. In fact, the chair of the Toronto board, who is a good person and a Liberal, said the following about this bill—

**Mr. Jean-Marc Lalonde (Glengarry-Prescott-Russell):** He's got to be a good person. He's a Liberal.

**Mr. Marchese:** Sorry? I didn't want to equate "good person" with "Liberal." I wanted to say, she's a good person and happens to be a Liberal at the same time.

"Bill 78 is probably one of the most dangerous bills I've ever seen. There is almost no role left for us"—and they're planning a committee to examine and comment on the bill. I am convinced that the Liberal backbenchers are not frightened about this, that they probably will say that the chair of the board is misguided, I suspect, that they'll probably say she really hasn't read the bill very well. It could say, "We really are not going to do any of the things that she fears and"—of course—"there's a great deal of flexibility for boards, even though there's so much that we prescribe," and blah, blah, blah. I am convinced a lot of the Liberal members who are teachers might comment on this. I hope they will in their two-minute responses. Already, the chair of the Toronto board is very worried about the powers it's giving itself, and I've got to tell you, I am too.

One of the measures is the following: "(b) adopt and implement measures specified in the regulation to ensure that the board achieves student outcomes specified in the regulation."

I have to say this: For quite some time now, standardized test results in Ontario have been manipulated by governments eager to win public favour.



**Hon. David Caplan (Minister of Public Infrastructure Renewal, Deputy Government House Leader):** Nonsense.

**Mr. Marchese:** I know, David. It's hurting you already.

When the Harris Conservative government wanted to create a crisis in education, standardized test results were interpreted to indicate the system was failing. When the same government wanted to solve the crisis, test results began to improve. I remind you that I accused the Conservative government of manipulating the test, and Mr. Kennedy, my colleague in opposition, did the same: accused the Conservative government of manipulating the test, as I did.

In 2003, Dalton McGuinty pledged that 75% of students would pass their Education Quality and Accountability Office test, and now test results are better than ever. Or are they?

**Mr. John O'Toole (Durham):** No, they're not.

**Mr. Marchese:** You don't mind that, do you, John?

In the spring of 2005, the EQAO tests, otherwise known as the Education Quality and Accountability Office tests, were administered to grade 3 and grade 6 students. The tests that were administered were drastically different from previous tests and were virtually guaranteed to produce higher results, to support the Liberal government's education policies and to keep the promises made by the Minister of Education.

Imagine an opposition party promising to bring 75% of the students to a level where they would be achieving at the standardized test levels that were determined by the government. I understand how complicated it is to bring students who are at the 50%, 52%, 55% level on the basis of the standardized tests that were devised by the previous government—imagine how complicated it is to bring 75% of the student body to that standardized level.

It may be just a figure, but it would be so nice if some of the principals who are now ministers and who are now Liberal MPPs would comment on this, because, as former teachers, they would know how difficult this is. I would love to hear from teachers and other people who are trustees in the field say, "Oh, we stand by it," because I've got to tell you, you can't do it. You cannot bring the 52%, 53%, 54% level of achieving that to 75%. It means you've got to work like you never have worked before to change the result ever so slightly. Even if you could change it slightly without changing any of the criteria, it would be an accomplishment. But without changing the criteria, you can't move those benchmarks; it's simply impossible.

So how did the Liberal government accomplish a moving up of the benchmarks so that students were achieving not at 55% levels but at 60% levels? This is how they did it: The total amount of material in the test was reduced such that the suggested length of time for the test was reduced from 12 hours to six hours. Teachers were told that additional time could be allowed and students were to be given all of the time they needed to complete a section. Do you understand? If you're there

for six hours, you could be there for 12—all the time that you need to be able to do the answer.

There was a higher percentage of multiple-choice questions in the mathematics test. Children were allowed to use calculators for all mathematics questions, including the multiple-choice questions. There were denials from the minister, but we know that this was the first time that calculators were used in the grade 3 and grade 6 tests. The tests were described by teachers as more manageable and easier than in previous years.

Do you understand? It is very tempting for a government, whether it's Conservative or Liberal, to influence the results, particularly when the scores have been used as the main measure of the system and when they have enormous political consequences.

The body that governs standardized testing in Ontario, the EQAO, is said to be an independent agency with a mandate to evaluate and report on the quality and accountability in Ontario's publicly funded schools. It's actually governed by a board of directors directly appointed by the cabinet of the Ontario government, which creates, in my view, an unhealthy relationship between the two institutions. While many of those EQAO members are honourable and I don't question their ability, there is a problem.

It may be that some of the changes have some merit. The problem is that, by all accounts, the 2005 tests were easier, and the changes that were made to the tests should have received as much publicity as the minister's promise of higher test scores. They didn't.

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The minister got a lot of publicity for saying that 75% of students would pass their EQAO tests. Lo and behold, last year the test results were higher. I can guarantee to you, Speaker, and to those who are teachers in the Liberal backbenches and former principals, that the results next year are going to be higher. More and more students will achieve at higher levels, as prescribed by the Liberal government. It is inexorable. It is inevitable. The government has willed that the marks and the percentage will go up. And we now have it—

*Interjection.*

**Mr. Marchese:** Member from Mississauga West, I'm looking forward to your participation—we now have it in the bill as part of the provincial interest.

*Interjection.*

**Mr. Marchese:** He's really having fun; I'm so happy to hear him.

As part of the provincial interest, here's what the government says: "adopt and implement measures specified in the regulation to ensure that the board achieves student outcomes specified in the regulation." Do you understand what I just read? You see, my problem is that I don't know what the members understand. But what I just read to you says that, "The boards and teachers will achieve the measure that we establish; 75% of the students will measure up, will achieve at- or above-average levels established by the government." They will do it. It's written. It's written in the regulation. They will do it.



**Mr. Jim Brownell (Stormont–Dundas–Charlottenburgh):** Do you know why? More resources in the classroom.

**Mr. Marchese:** More resources.

**Mr. Brownell:** Yes, we put more resources in the classroom.

**Mr. Marchese:** I just pointed out to the member from Stormont–Dundas–Charlottenburgh that you manipulated the test, but I know you don't want to hear that. And all the members are so funny; they say, "What do you mean?" I read to you all of the things you've done, manipulated, to achieve the result you want, and all you can say is, "But no, it's not true."

**Mr. Brownell:** We put more resources in the schools for teachers.

**Mr. Marchese:** No, member from Stormont–Dundas–Charlottenburgh, what you've done is reduced the length of the test from 12 hours to six hours. Teachers were told that additional time could be given to any student to finish the questions, to take as much time as they needed, which was not done before. There was a higher percentage of multiple-choice questions. They could use calculators, which they couldn't use before. And overall, it was easier. That's what teachers have said. You can say what you like, but these are the facts.

**Mr. Brownell:** Why not treat students with respect?

**Mr. Marchese:** Yes, teach them with respect.

What other things do we have here that speak to other measures having to do with special ed?

*Interjection.*

**Mr. Marchese:** John, I've got something more for you.

**Mr. O'Toole:** I'm taking notes.

**Mr. Marchese:** Item 4, otherwise known as (d) here in the bill, is: "adopt and implement measures specified in the regulation with respect to the provision of special education services by the board." I've got a lot to say in this regard, because I have dealt with this for a long time. Gerard and I have had a good time in committee about this. I want to talk to you about it.

In 2004, the Liberal government clawed back \$83 million from the boards of education related to special ed. The minister and all the Liberals who were following this issue denied it. I usually say that the government stole monies from boards that had put money in their reserves. The reason boards did that is because they couldn't spend the money in the later part of the year when the money was given. So if you can't spend it at the end of the year, you put it in your reserve account to spend it for September. The minister said in 2004, "The board stashed away money it's not spending for special ed, and we're going to take it back." So they steal the money that they had given on the basis of the forms that had been filled out by teachers, and then the government a year later slowly starts to dole out the money that had been taken from the boards, all the while presenting it as new money. So for a couple of years, boards of education have been getting very little money for special ed.

Remember that under the Conservative government there were 40,000 students waiting to get services,

waiting for an IPRC, otherwise known as identification placement review committee, which reviews the special need and then suggests a curriculum, a program, for that individual on the basis of what the various specialists determined was the problem. That waiting list is still as big under this Liberal government as it was under the Conservative government.

Not only that, when we went into committee last year, we asked the Minister of Education, "Are you capping the amount of dollars that is going to special ed?" He denied it. Three times I asked him the question: "Are you capping money that would otherwise go to special education students?" You know that most of the students would be getting \$17,000 a person. What we discovered, after three tries—and I read from documents by a director of the board of the ministry and an assistant minister, the commentary by two people that said they were capping the amount of money that would go to special ed, and that cap was \$40 million. So, irrespective of needs, the government was going to cap the amount of special education dollars no matter what.

When I showed him the documents—because he wanted to see them; I was very courteous, of course, and I went to him and gave him the documents—that revealed that his ministry was capping the amount, he had to admit that he had been caught. He didn't say that, but he had to admit that it was a problem, that he had a problem on his hands. In spite of what he tried to do with the civil servants to keep it under wraps, he couldn't. It was on paper. I had it, and I showed it to him. Two days later, last year, he issued a correction and made it appear like he was doing this. He didn't give Rosario Marchese any credit for catching him in a manufactured position. He didn't say, "Rosario made me do it." He made it appear like he issued a correction.

I've got tell you, I don't trust this government. I didn't trust the former minister to deliver more money for special ed. I have no faith that the new minister will do this, because I have to say this: The ministry staff is on record as telling directors of education that the goal is to get down to an 8% incidence rate for special education. Even the Harris Tories had an incidence rate going of 12%. The McGuinty government has also indicated in the two memos to directors of education that special education funding for net new needs in the province was to be capped. That was part of the same memo. So what is it that the ministry is looking to do? Reduce the incidence rate of identification of special ed.

**Mr. O'Toole:** Exactly.

**Mr. Marchese:** John, I've got to tell you, your guys and gals wanted to do the same, but these Liberals want to reduce the incidence rates even further. What does it mean? It means that boards are being asked to redo the way in which they identify special ed students in such a way as to reduce the incidence rate, reduce the number of students who would otherwise need special ed. It's on the record.

To the member from Mississauga West—okay, he'll be back shortly; oh, here's my buddy, because I want to



engage you—it says, “to adopt and implement measures specified in the regulation with respect to the provision of special education services by the board.” In other words, the ministry says, “Reduce the incidence rate.” The ministry said, “We were going to cap,” until I caught you in the mendacity trap. Then, once we’d done that and the minister was caught, what are they to do? We are vigilant, we are watching. We were watching the former minister; we’re going to watch this minister.

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**Mr. Gilles Bisson (Timmins–James Bay):** Kathleen Wynne.

**Mr. Marchese:** No, no, we’ve got Pupatello. We’re going to watch this minister and we’re going to prepare Minister Pupatello for what is to come, because we’re going to invite her to estimates committee, where she’s going to have to defend herself. I hope she’s well prepared to deal with these issues because, I’ve got to tell you, we’re going to see less and less money, less and less services going to special ed than we’ve ever seen before; similarly with autism. This government has broken its promise on issues of autism, and Shelley Martel from Nickel Belt has been keeping this government accountable on a day-to-day basis, month after month.

I’ve got to say to you, the Minister of Education didn’t have a clue about this and neither did the other minister, the Minister of Comsoc, who was dealing with this matter. Here’s what they’re doing: They’re giving \$25 million to an outside agency—and they may or may not be teachers—to provide autism support to teachers in the system. Remember, these consultant types, whether they be teachers or not—because we don’t know; some of them may or may not be teachers—are not allowed to teach. They cannot go in the classroom; all they can do is provide support. We estimate, based on the money, that there is one teacher for 30 students that require autism support. Imagine that. Where they normally get autism support for a whole day by a teacher—not a whole day, but a one-to-one kind of teaching—they’re having one consultant for every 30 students that require autism assistance. They can’t go in the classrooms, they’re not really doing anything hands-on, and that is what this government claims it is doing by giving more money.

These additional powers it’s giving itself under section 11.1, under “Regulations re provincial interest,” are all designed to control things centrally in a manner that is worse than what the Tories did. Instead of dealing with a flawed funding formula that is still the same flawed Conservative funding formula of 1997-98, we are prescribing all sorts of things that are in the interests of the Liberal Party, which is now the government, and nothing to do with kids in the educational system. If they were really interested, they would deal with the capital problems we have in the entire Ontario system. There’s \$4 billion they claim they’re giving, and that \$4 billion is to be assisted by their own money to carry the loan. They were going to give 275 million bucks to carry the loan for \$4 billion worth of projects. So far, in the last three years, all they have given is 75 million bucks, and now the rest

of the \$200 million is rolled over into a new five-year plan the boards are supposed to engage themselves in, even though we had the most thorough of studies in 2002-03 revealing where the problems were in our school system. Instead of getting to the matter, we’re going to delay the \$200 million that should be going to fixing our schools and rebuilding those broken-down schools.

We’re wasting a whole lot of time not helping anyone out, and we’re not fixing that flawed funding formula that would genuinely help to get more special education services: ESL services, to get librarians into the system, to get music teachers, guidance teachers, young people who used to work with kids at risk in the Toronto board who are no longer there, who are suffering on their own. There is so much work to be done. This bill doesn’t help students very much. It’s all designed to advance the political Liberal interests of this province, and nothing more.

I’m looking forward to the two-minute rebuttals that the Liberals have. I hope that some former teachers, trustees and principals will comment on what I had to say.

**The Deputy Speaker:** Questions and comments?

**Mr. McMeekin:** I wish I had more time than the two minutes allotted to respond to my good friend from Trinity–Spadina, whose love for education and the students in this province is well-known; who has a passion for this, which I admire; who is clearly prepared to go, in some instances, much further than we’re prepared to go, but we’re trying to take a responsible, balanced approach here.

I want to just say, in the brief time I have, that we’re big fans of “what gets measured, gets done.” We’re big fans of establishing some standards. The 75% passage on the test is a high standard, admittedly, and would be tough to meet, but we’re wanting to marshal resources to do that. We’re serious about that. We think that’s what parents and others want to see happen.

I was a little surprised, to be honest, that the member, for whom I have so much respect, actually argued, if I understood what he was saying, that he was opposed to having members of the college taking an oath to protect the public interest.

**Interjection:** What?

**Mr. McMeekin:** To take an oath to protect the public interest. The argument is, we want to depoliticize the college and we want to make sure that we’re not running federation slates of members. We want to keep it clean and with a virtuous intent. That’s to enhance education. So I really am surprised. We take an oath of office here, and people who are dedicated to the college and its objectives won’t fear taking an oath.

**Mr. O’Toole:** It’s always a pleasure to listen to the member from Trinity–Spadina. I would compliment him very directly, as his time as a trustee and as a member here and as the education critic is very well-informed. In fact, I’ve been on a number of panels with the member from Trinity–Spadina and have a great respect for his knowledge and some of what he perceives as criticism of



the government, not just on Bill 78. I would say respectfully that my sense is that the member from Don Valley West, Kathleen Wynne, and Mr. Marchese and myself have been on programs, and I'm often diminished in those programs because of their insight and commitment to education.

But I think he raises a very good number of points. In the very brief time I have, in the comments he has made in the last hour, he's talking about the deficiency between what Mr. Kennedy and the Ministry of Education say they're doing and the reality. I think Mr. Kennedy is actually getting out just in time, because clearly it was peace at any price during the time of Mr. Kennedy. My wife's a teacher, so I have the greatest respect—there is no criticism intended here—but I'm reading an article here in a Toronto paper and it's warning, "Deficits Ahead." What it says here is that the Toronto board—not just the Peel board; I would say about 60% of the boards of education—as Mr. Kennedy leaves the ship of education, the Good Ship Lollipop, it is going down. I put to you that about half the boards are in deficit, and Mr. Marchese has pointed out the reasons why.

**Mr. Shafiq Qadri (Etobicoke North):** I think we on the government side have posed ourselves this question: What will it take for our future generations to succeed in the new knowledge-based economy? I think it's clear that one of the components, one of the pillars, one of the building blocks of that is the education of our grade school kids, of our youth, because it's only once they've acquired the appropriate skills and the appropriate milieu has been set up, where learning is not only a task but a pleasure, and also the whole idea of lifelong learning is instilled, that we as a province, as a people, as a nation, will be able to succeed. For example, in the student performance bill, Bill 78, there are a number of different components. Whether it's a reference to peace and stability, student performance, teacher excellence, all of these things are part and parcel of the components of the new era, I would say, of respect, mutual understanding and synergy between governments, parents and of course the student population.

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It was George Bernard Shaw who said, once upon a time, that you should never let your schooling interfere with your education. I think this particular bill, Bill 78, actually refers to that in spirit: to remove some of the barriers; to open up opportunities; to reconfigure the tests, whether it's moving towards the digital age to allow the use of calculators, for example, and so much else; whether it's dealing with lower class sizes or basically changing around some of the contract negotiations and obligations that we as a government have.

All in all, this is part of the McGuinty commitment to education, which we know is the route to empowering our next generation for success in a knowledge-based economy.

**The Deputy Speaker:** Questions and comments.

**Mr. Bisson:** First of all, I want to explain math to the government House leader's office. I think we need to

understand how we add four to whatever premise you put together when it comes to mathematics, if four by 9:30 or four within 30 minutes—anyway, you know where I'm going. That's inside baseball. Nobody knows what that was all about. It was inside baseball.

I want to say that my good friend Rosario Marchese, the member from Trinity-Spadina, is well-known as an advocate for education. I think he raised a number of points. But I want to ask him a couple of questions because I think they are questions that need to be answered.

The first question is, we all know that when education was transferred over and the deal was made between the province and the local school boards by the Conservative government, there was a shortfall. We all understand that. As a result of that shortfall, a number of programs—plus some reductions that were made on the part of the Conservatives at the time—

*Interjection.*

**Mr. Bisson:** I don't want to beat up on you guys too bad, because that was—

**Mr. O'Toole:** That was then; this is now.

**Mr. Bisson:** That was then; this is now. That was Ernie Eves?

**Mr. O'Toole:** Dave Cooke. Dave Cooke was the guy.

**Mr. Bisson:** Dave Cooke? I remember him too.

The question I want to ask of my good friend the member from Trinity-Spadina is that we are in a situation where the Rozanski report came back and said it was going to offer a solution to dealing with the funding inequities of education. My question to my good colleague and friend is this: The francophone community, when it comes to education—I just met with a number of them last night—is saying that in order to fill the gap, we should have been at about \$120 million. What I'm really curious in finding out, if he can give an explanation, is to what degree this government has kept its commitment to fund Rozanski when it comes to the overall funding envelope to education, but specifically to the education formula when it comes to francophone school boards. I'd be really interested in seeing what those numbers add up to, if they add up to four by 9:30 or four within 30 minutes—

**The Deputy Speaker:** Thank you. The member for Trinity-Spadina, you have two minutes to respond.

**Mr. Marchese:** I'm not going to address the speakers, because there's so much to say. So in two minutes I'm going to try to summarize as much as I can.

There is a matter dealing with regulation governing class size in the schools. This regulation is designed to establish the methods to be used by a board in determining class size. The fear we have about that is, it leaves the door wide open for the government to manipulate the enrolment stats and declare that the classes are open. Are class sizes going to be determined by grade, by division, by school, by board, or by whatever method will provide the most flattering picture? We're worried about that. I didn't have time to talk about that particular matter.

I wanted to also raise that, while teachers are going to have a teacher induction program, much of the appraisal



process for teachers obviously is going to be done by principals. There is nothing in this bill that talks about an appraisal process for principals. It's all about appraising the qualifications, the skills of a teacher, but not of a principal. We know that principals are vital in our school system, and I would have liked to have seen something vis-à-vis that.

I want to say that while the government speaks about peace and stability—the Liberals hide behind this peace and stability clause and they do it ad nauseam; it just makes you sick after a while, I have to admit.

Members talk about McGuinty having an education commitment. If he did, he would be dealing with the special education problems. If he did, we would have the new transportation funding model that they've promised for the last year and a half. If he did, he would deal with ESL problems. If he did, he would deal with the capital project problems that we have. He would also fund the lack of services in our French-language education. While they give some money, we're still short by millions and millions. We have a discredited funding formula that we've been using since 1997. If he were so committed, he would be dealing with all the issues, and this bill doesn't do it.

**The Deputy Speaker:** Further debate?

**Mrs. Liz Sandals (Guelph-Wellington):** I'm very pleased to be able to speak tonight in support of Bill 78. I would like to begin by congratulating our new Minister of Education, Sandra Pupatello. I'm absolutely delighted that Sandra is going to be our new Minister of Education. She brings passion to every job that she does, and I am sure that the passion she brings will be appreciated by the students, parents and teachers in our province.

I'm going to attempt to speak to Bill 78 tonight. I will try and address some of the areas that are raised in the legislation because a lot of the comments haven't had a lot to do with it. But the member from Trinity-Spadina did bring up the whole matter of investigation and supervision, and I think it's worthwhile to go back over what happened under the Tories.

Within the Education Act, there has always been the ability for the Ministry of Education to take over a school board if in fact that school board is in financial difficulty. That's not new. What changed with the Tories was the punitive nature of the rules. In particular, one thing that was very offensive to trustees was that they could be held personally liable for any deficit that the board incurred. There were a number of things in the supervision legislation which were personally offensive. Quite frankly, what we're doing in this legislation is putting the language back, closer than it was historically.

If I can bring people back to remembering what happened: In three cases in particular under the Conservatives, they ignored the section in the act that allowed them to bring in an investigator and, much to the surprise of the boards, went directly to a supervisor, who took the board over. In each of the cases, I think the education community would have agreed that the person who was selected to supervise the board was hostile to public

education and to governance by trustees. This was a very, very painful and confrontational time within the history of education governance in Ontario.

What Minister Kennedy has done in this recent situation, where a school board, Dufferin-Peel Catholic District School Board, was suggesting that they were in some financial difficulty, was to go and do what school boards had historically expected that the Minister of Education would do in a case like this. Mr. Kennedy didn't appoint a hostile supervisor; he appointed a knowledgeable investigator. There's a critical difference here: The investigators who were appointed were in fact retired directors of education.

I happen to know one of the investigators quite well. Bill McLean is the retired director of the Niagara school board—a highly respected individual within education circles in Ontario. I have to tell you that when Bill McLean gives a reasoned analysis of somebody's finances, that has high credibility within the education sector in Ontario.

That is what Minister Kennedy—until this morning, Minister Kennedy—received yesterday from Mr. McLean and his co-investigator: a very reasoned analysis with some suggestions as to how the board could come into a balanced budget. I just want to note that there is a critical difference here in the way in which this unfolded. In this case, we have had a supportive investigator who understands the sector and who has made constructive and helpful suggestions.

**1950**

What I want to go on to is actually talking about this whole issue of the college of teachers. I have to say that I am personally very supportive of the idea of the college of teachers. It recognizes that teachers are in fact a profession, that they should have a self-governing college and that they should have some sort of governing structure which is similar to other self-regulating professions. I would point out that in the vast majority of self-regulating professions in the province of Ontario, the members of the college—i.e., the doctors, the lawyers, the nurses or the veterinarians; whomever—have the majority of the seats on the governing council of the college.

When the Conservatives set up the college of teachers, they didn't trust teachers. So unlike with all the other professional colleges, they said, "Those people can't have the majority. We're going to give the majority to somebody else because we don't trust classroom teachers." What we are doing in this bill is putting the college of teachers governing structure back to the governing structure that is normal for all the other self-governing professions in the province of Ontario.

The other thing the Tories are going to tell you is that the sky is falling and that these teachers are going to be union members. Well, of course they're going to be union members. There's a law in Ontario that says that every classroom teacher has to belong to a teachers' union. They have to, by definition, be union members. But there is a difference in what we're doing in this



legislation from what the Tories did, because under the Tories, having set up a fight with the teachers—it was, “We don’t trust you, teachers”—what happened was that on the Tories’ college of teachers virtually every teacher representative was actually a member of a union executive—not a rank-and-file member but a member of one of the union executives.

What we have said is that we want separation between the union executive and the rank-and-file teachers. We are saying in this bill that if you are a member of a union executive, you cannot be a member of the governing council of the college of teachers. We are bringing in this legislation the very thing the Tories are complaining is going to happen. What they’re complaining about is already happening, and we’re stopping it. They’ve got it totally backwards. But then I don’t think they really understand teachers.

The member from Trinity–Spadina wasn’t exactly sure about what it was that the college could do differently from what school boards could do. There are a couple of very important functions of the college of teachers which school boards cannot do. One is that the college of teachers is responsible for accrediting the faculties of education and making sure their programs meet the requirements of the college of teachers. The other thing which school boards cannot do—they can certainly discipline their teaching employees, they can dismiss or fire, but what they cannot do is remove the teaching licence. For example, if a teacher—and this would be very unusual—were to be found guilty of sexually assaulting a child, a school board can fire that person. A school board cannot remove the licence to teach in other situations. The college of teachers can do that. So the college of teachers has some very important functions above and beyond that which school boards can carry out.

The whole issue of the teaching test: The Tories thought you could sort of test anything, and they introduced the idea of the teacher test. I actually agree with the member from Trinity–Spadina that the teaching test, after a great deal of kerfuffle about trying to figure out how you write a paper-and-pencil test to discover if someone can actually teach, obviously doesn’t do that very well. The vast, vast majority of people who try the test pass. I think everybody has agreed that it doesn’t, in fact, carry out a terribly useful function in the whole area of teacher education and teacher development.

So what we are doing is removing that teacher test, which I think everybody agrees is not a terribly functional test, if you will, of how people are doing as they come into the profession, and introducing an induction program. What the induction program will do is provide a mentorship to first-year teachers. They will be partnered up with a senior teacher, who will help them with their classroom practice, with their teaching strategies, and make sure that they have a mentor through that first year of teaching.

There was some reference earlier to the fact that this bill references the protocol for teacher appraisal. What’s

going on here is that, in fact, there is quite an extensive system in legislation already for not just teacher appraisal but, I would add, appraisals for directors of education, supervisory officers, principals and vice-principals—all teachers. What this does is amend the teacher appraisal process for first-year teachers so that that mentoring induction process is tied to the appraisal of the first-year teacher. So, as they go through that induction process in the first year, they are being supported, but what’s going on in the classroom is actually being evaluated.

So I would like to suggest to you that we are making some very positive changes here which will support teachers and will support students in their learning. I think that what we are doing is improving our public education system, and I’m very happy to support this bill.

**The Deputy Speaker:** Questions and comments?

**Mr. Marchese:** We’ve learned from this member that the college of teachers can pull the licence of a teacher, which boards can’t do. Anything else? So imagine, a whole college of teachers—

*Interjection.*

**Mr. Marchese:** Ah, the member will elucidate further in terms of what other powers the college of teachers has that a board doesn’t have or could not have. All I wanted to say was, imagine the incredible bureaucracy we set.

I supported the college of teachers, I’ve got to tell you. It’s not as if I didn’t support it, because I thought, “Okay, we’ll have a college of teachers. They’ll talk about education. They’ll be concerned about educational issues, teachers,” and blah, blah, blah. And I thought, “Okay, but what are they doing?” Not to vilify any members, individually and/or collectively, but I’m sorry; just to be able to pull the licence of a teacher?

My good friend from Stormont–Dundas–Charlottenburgh was talking about how he was in consternation when I stated that the now members of the college of teachers are going to have to take an oath. It was okay before, but all of a sudden now, they’re going to have to take an oath. What a surprise that this member from Trinity–Spadina should say, “Why do we need this? What’s the point of this oath that is designed to articulate a provincial interest? What is that about?” All I said is, it’s silly. It really is, and I repeat it. I’m also saying it’s silly that you’re going to create a public interest committee where you’re going to have three to five members being highly paid to prescribe the form of the oath, determine the contraventions of the oath, and govern conflict of interest. It’s silly. I wanted to repeat it for emphasis.

**2000**

**Mr. Richard Patten (Ottawa Centre):** Thank you for the opportunity. I would like to commend my colleague from Guelph–Wellington, who, in a short period of time, demonstrated her experience and accumulated learning and wisdom related to the whole field of education.

A number of us have been touching on the college of teachers. I must tell you that I was a member of the Legislature at the time this was presented. I did not vote for the bill. I had two concerns. One was that it was not



truly a college of teachers per se. Many professions that have colleges or institutes or overall bodies that represent the profession have a majority—the law society or whatever it may be.

The member from Trinity-Spadina asked, what do they do? Well, they do a lot of things. They have a disciplinary committee, as you know. They provide a process for licensing. They scrutinize applications of teachers from other countries; that takes a considerable amount of work and research, as my friend from Guelph-Wellington would well know. They interface with the minister from time to time, in terms of issues that have been raised that they believe, in the interests of the profession, should be pursued, should be considered further, or that might have some kind of adverse effect on the profession. Therefore, they identify that, representing the best of what the profession can provide.

I commend my friend from Guelph-Wellington for her remarks. I know she carries with her very considerable thought.

**Mr. O'Toole:** I want to extend my congratulations to the new Minister of Education. I would say that it is a change. Bringing it back to the response to the member from Guelph-Wellington, I'm somewhat surprised, and marginally disappointed, that she wasn't appointed, or the member from Don Valley West, Kathleen Wynne. They are two eminently qualified people who could have made a valuable contribution, given their experience. Having served as a trustee, I could say that many of the points she made were valued, and perhaps pretty much written out for her to read.

In my view, there are several troubling sections in this bill. Members should know that in the explanatory notes there are several sections—in fact, there are 10 sections—that are relevant to the debate tonight. I would say that one of these is section 55, which deals with the role of the student trustee. I endorse embracing that role. Education is really, at the end of the day, about students and their educational opportunities. Their voice, at the moment—we changed it; we mandated a school trustee to be on the board, and I would support that section of the bill strengthening that role.

The governance issue is quite another debate. It's a section that I have certain troubles with. In fact, as our critic, Frank Klees, said, it is peace at any cost. That's what the problem is. We've retreated from the position—quite honestly, there needs to be harmony; there needs to be peace in education. My wife is a teacher; my daughter is a teacher. I recognize that difficult and challenging role. But when I see the difficulties with the Peel board and with the Toronto board, there's more to be done. This bill does not get us even near the point—

**The Deputy Speaker:** Questions and comments.

**Mr. Bisson:** I think the member was doing a fine job; we could have given him a bit of extra time. But he ran out of time, and it's my turn, so I'm going to use it. There are just a couple of things I want to touch on, and I'll get a chance later in much more detail as I take my full time to respond to this particular bill. I note that the Minister

of Northern Development and Mines and the Minister of Natural Resources are happy about that. That's good.

Just quickly saying a couple of things, one of the things that I guess is a positive step in regard to the legislation but that I don't think goes to the extent I would like, is the whole issue of who has governance of the college of teachers. I've always believed that with a professional association or licensing body, normally what you end up with is a majority of people, larger than one, who are on the particular board. For example, if you take a look at various colleges out there that are basically in place to license, to regulate, to ensure that individuals are conducting business as per the profession, it seems to me it's not unreasonable to ask that a larger number of people who come from that profession sit on the board.

**Mr. Marchese:** At least there's a majority, so it's okay.

**Mr. Bisson:** Yes. There's a majority of one. I guess it's better than what was there before. But I would argue that it should have been more than just one, for all kinds of reasons that I'll get into a little bit later.

The other thing I wanted to touch on—it's a step in the right direction but, again, it would have been nice to do something a bit different—is the whole devaluation of trustees. In the past, we actually devalued trustees by lowering what they were able to make for remuneration, and then said, "We don't value what you do." This legislation does go, to an extent, to try to reverse that, but I don't think it goes to the degree that it needs to. Again, I'll get a chance to speak to that a little bit later. I want to know from the member how she feels about that particular section of the bill.

**The Deputy Speaker:** The member for Guelph-Wellington has two minutes to respond.

**Mrs. Sandals:** Thank you to the members for Trinity-Spadina, Ottawa Centre, Durham and Timmins-James Bay for their comments.

I just want to quickly address this issue of the majority of one. I think it's important to note that classroom teachers will now have a majority of one. However, in addition to that, principals and vice-principals, supervisory officers and directors, who are also licensed teachers, will have membership on the college in addition to that. So in fact, in terms of licensed members, the size of the majority is much more than one.

What does the college do? It sets the standards of practice for the profession. It provides accreditation for the faculties of education. It looks at additional qualification courses. It ensures that people in schools are teaching to their actual specialty. It deals with issues of licensing, including licensing of foreign-trained professionals. When a school board goes to hire a teacher, it can pick up the phone, go to the college, and say, "Yes, this person is licensed and qualified and, in particular, they're qualified in the following areas of teaching," so that everybody can deal with that.

It also deals with public complaints. Any member of the public in Ontario can lodge a complaint with the Ontario College of Teachers and it will be investigated.



But I want to go back to this issue of the ability to remove a licence to teach, because the member from Trinity–Spadina made it sound as though this is a trivial issue, and it is not. I know the frustration, as a trustee, when we would fire a teacher who had done something very egregious to a student, to find that that teacher had popped up in some other board with another group of students, with no ability to remove that teacher. Removing the licence is important.

**The Deputy Speaker:** Further debate?

**Ms. Laurie Scott (Haliburton–Victoria–Brock):** I'm pleased this evening to address Bill 78, the Education Statute Law Amendment Act (Student Performance), 2006, and start off by congratulating the new Minister of Education, Minister Papatello, and making some comments on the former Minister of Education, who certainly has been very skilled at honing his own image as a politician. There is no doubt why many in the federal Liberal Party regard him as an attractive candidate. Perhaps it's because other leading candidates for the Liberals are ex-socialists, ex-Conservatives and expatriates.

I would also like to note the active involvement of the Toronto Star in encouraging the former minister's candidacy for the Liberal leadership, much like they did 10 years ago when the other leadership was going on in the Liberal Party. I hope the Star continues to support him and doesn't pull the rug out from under him.

One of the many costumes the Premier has tried on and admired himself in is that so-called education Premier, which is what we're speaking about tonight: education. That's certainly not when he's trying out the other costumes: the results Premier or innovation Premier. He thinks all these different outfits make him a master of messaging. All it does, in reality, is make him a master of disguise, which we've noticed here. It's more than passing strange that the education minister would want to abandon the education Premier. When you look at a past government's claims about what it would achieve in education and get to the reality, it becomes clear that the minister decided to get out while the going is good.

**2010**

My colleague from Oak Ridges, who is the critic for education, spoke at length this week, and did an excellent job of reviewing the specifics of the bill in his opening remarks. I echo and endorse the comments he made.

I think this is an appropriate time to talk about the former minister's two-and-a-half-year record in education, a legacy he's leaving for the new minister to pick up. It's fitting that this bill has turned out to be the last piece of legislation of the previous minister's reign in education. It contains many symbols and touchstones of this government's approach to education, which might be best described—from a movie I like—as Scarlett O'Hara when faced with unpleasant reality: "I'll think about that tomorrow."

When this party was seeking the votes of parents, they promised the parents of autistic children that, if elected, they would extend support and education services to autistic children over the age of six. After the vote was

over, the government broke that promise, as they broke many other promises; I think we're at over 50 broken promises now of the long list of 240 they made during the campaign. It was articulated very well by the member from Trinity–Spadina about autistic children and not enough funding, especially special-needs funding, in the school system. To add insult to injury, they continued fighting the parents of these autistic children in court. After the ruling that they discriminated against these children, that appeal continues to this very day, the minister's last day in office.

There's another promise the fleeing minister made: the promise to keep rural schools open. We all remember that one.

**Mr. Wilson:** We had six closed.

**Ms. Scott:** That's right. The member from Simcoe–Grey says six are closing in his riding.

He stood by while other schools closed: Ross Mineview, Laurentian, and other places like Thunder Bay, Port Hope, Horton, Deep River and Oxford county.

**Mr. O'Toole:** Durham as well.

**Ms. Scott:** How many schools closed in Durham?

**Mr. O'Toole:** We had more new schools when we were in government—

**Ms. Scott:** Yes, again the Conservative record comes through in education: more new schools built. Certainly in my riding of Haliburton–Victoria–Brock, we had expansions and new schools under the Conservative government.

*Interjection.*

**Ms. Scott:** Massive expansion in post-secondary, but we'll get back to public education here and the bill tonight.

One of the signature promises of this government was a hard cap of 20 students in classes from kindergarten through grade 3. Recently, the government admitted that as many as one in 10 classes are not going to meet that standard. Many students in these grades are in portables as we speak—another broken promise.

An interesting historical note: This was not the first Liberal government to promise to cap class sizes in early grades. The Peterson government made that exact promise in the 1987 election. It served them well at the ballot box; they won a huge majority. But it's interesting to note that the five-year-olds who entered senior kindergarten in the fall of 1990, three years after the Peterson election promise, grew up to be the 15-year-olds who wrote the first grade 10 literacy test administered in the fall of 2000. Only 61% of those 15-year-olds passed both the reading and writing parts of the test. Just a little interesting fact that I thought the members opposite might find intriguing.

The minister told the public he wants to prepare our children for the high-tech jobs of the future, but as a parting gift, announced that calculus would be dropped from the high school curriculum. I know very few people who remember calculus fondly. I'm probably one of them, I have to admit, but I suffered through it. But it is essential to the engineering and many other scientific



disciplines. Dropping calculus from high school does nothing to prepare our kids for high-tech careers, and it's setting them up for failure in their first year of university. That's irresponsible. It's short-sighted. It's almost cruel. I hope the new minister will reconsider this reckless move when she has more time to be in her file.

In three years, the departing minister brought forward the lightest legislative load of any education minister in history. But he's travelling the province on the taxpayers' dime, drumming up support for his federal leadership. After all the speculation, finally today he does the announcement, and he's off to contend for the federal Liberal leadership.

The former minister talked about a so-called stability commission for education—a truly Orwellian concept.

**Interjection:** I like that.

**Ms. Scott:** Yes, it's a good word. I thought it was fitting; a good word.

**Mr. Wilson:** It's a layer of bureaucracy you don't need.

**Ms. Scott:** No. More layers of bureaucracy—something Liberal governments are famous for.

No matter what's happening in the government—school boards, unions, unkept promises, underachievement, lowering standards for the students, underfunding—the minister of the day will say, “We have this lovely commission that's ensuring stability, and everything is going to be great.” Isn't that great? “Peace is war; freedom is slavery,” as the old saying goes.

The first act of obfuscation involving this commission is its very existence. Where is it? The minister said that the commission was in place in November of last year. The boards continue to be promised that it will exist, but it still is not in place, leaving school boards and principals in confusion. That's just one of the many things they're in confusion about.

The school boards have been telling the government for two years now that the busing costs are killing them. In my riding of Haliburton–Victoria–Brock, in all the rural ridings, it's school bus issues—not enough money—and the rubber-burning minister did nothing about that either.

**Mr. O'Toole:** That's tragic.

**Ms. Scott:** I know. Let's look at some quotes. “Local school officials would like to see more Kennedy-style leadership taken to readjust an unfair funding system for school buses”—

**Mr. O'Toole:** He's leaving.

**Ms. Scott:** That's the leadership. He is leaving, fleeing—“which cause Guelph's two school boards to pay \$1.5 million more for transportation than they get from the government. The problem is that two of the province's biggest school boards, Toronto public and Ottawa–Carleton Catholic, don't have to sign on to any change that means they'll get a smaller slice of the transportation pie. Guelph's school boards, meanwhile, are arguably subsidizing the bus expenses of these other boards.”

That's an issue in my riding, with Trillium Lakelands District School Board and Simcoe school board, where

for decades they had corroborated on school busing issues across borders. I know that many parents have been down here. We've pressed the issue and finally have got a mediator involved. But why does it have to come to that? The school boards need more funding for the buses, and we've been trying to bring that forward.

But all is well: The stability commission is coming, the funding for busing is coming, and the second coming is coming, apparently.

This bill puts what is probably the final nail in the coffin of teacher recertification, one of the most important recommendations of the Royal Commission on Learning, a commission initiated by one of Mr. Kennedy's soon-to-be worthy opponents, or worthy soon-to-be opponents, however you want to put that. Again, a little history lesson: Dalton McGuinty, not long ago, favoured teacher certification. This is what Dalton McGuinty said in the Liberal Party platform from the 1999 election: “Ontario will not only have enough teachers, it will have the highest standards in North America for people training to become teachers. All new teachers will be required to pass certification exams that test their knowledge of teaching techniques, ability to identify learning difficulties, and computer and science literacy.”

Again, they've eliminated the teacher qualification tests. On Focus Ontario on May 22, 1999, Dalton McGuinty said: “I agree that teachers should be tested. New teachers should be tested. I think that teachers should be tested as nothing more and nothing less than professionals, so I think they should have the same responsibilities when it comes to testing as lawyers and doctors and accountants and architects and so on. They're all tested at the beginning of their professional careers in order to be admitted to the profession.” That's the Premier who said this, on Focus Ontario on May 22, 1999, but the legislation before us, Bill 78, eliminates it. The Premier of the province agreed with that, but the Minister of Education is going to eliminate teacher qualifying tests and replace it with something called a “teacher induction” process, a mentoring process. My brother's a teacher. Teacher mentoring does go on now.

The bill does nothing to help struggling school boards meet the cost of the four-year contracts that the former minister encouraged them to sign. They're \$1 billion short of meeting contractual obligations; school boards across the province are saying that. In the past, they only committed \$450 million, so they're \$1 billion short. The minister did go around, made one-time announcements of funding, but the school boards are worried—I read the papers, I listen to the parents and I listen to the members of the school board—about their budgets.

## 2020

Again, the power was taken from them; it's gone. The minister can come in and override the school boards' decisions on how to spend money. This morning, the runaway minister made a statement, desperately worded to appear that he is not in fact running away or being pushed away by a peeved Premier. He said, in part:



"I know that this revitalization of education is still in process and much more needs to be done. At the same time, I firmly believe that the groundwork for a long-lasting education partnership is in place and I know that the entire government is committed to seeing it go forward, and no one more than the Premier"—McGuinty—"who has been intimately involved every step of the way."

What the minister wants parents, teachers and students to believe is that he has put everything in place, and things will only get better with him gone. Well, I don't think we believe that the last part is true, and we're here today.

The change in the college of teachers: A lot has been said this evening about the college of teachers: It's the governing council. It has 31 members; 17 are elected by members of the college and 14 are appointed by the government to represent the public. Of the 17 elected councillors, six represent regions, seven represent facets of the different school systems and one each represents principals, vice-principals, supervisory officers, and faculties of education and teachers in independent private schools. The college of teachers is supposed to have broad representation to ensure that education is done in a professional way.

What does the Toronto Star say about that? March 11, 2006:

"Education Minister Gerard Kennedy is continuing his relentless campaign to reverse the initiatives of the previous Conservative government.

"The problem is that he is throwing out some good with the bad." This is the Toronto Star; I mentioned the Toronto Star earlier. The Star had supported Kennedy many times in past Liberal leaderships, provincial and now federal. From the Star:

"Take, for example, Bill 78, the so-called 'Student Performance Act,' which was virtually ignored by the Toronto media when it was introduced by Kennedy last week.

"It is an omnibus bill with a wide range of measures, including giving 'working teachers' a majority on the governing council of the college of teachers," which is "the regulatory body for the profession."

I know the member from Trinity-Spadina doesn't believe that it was started by the NDP, but according to the Toronto Star, which I'm sure we all have to believe, it was started by the previous NDP regime. "The college grew up under the Conservative government ... following the recommendation of the Royal Commission on Learning," like I mentioned before.

"But the Liberals, lobbied by those same unions, made an election promise to give 'working teachers' a majority on the college's governing council. Bill 78 delivers on that promise." It's a departure from the very purpose of the college of teachers, and it's regrettable.

We're concerned that it's taking away from the public interest, where parents have the responsibility and the right to believe that students in the classroom and the education system in the province are being guarded by a

professional body with public oversight, and we've just handed that over to the unions. As you said, you would not see that with the College of Physicians and Surgeons of Ontario.

I'm going to read a letter sent by one of the members, a minister in the present Liberal government, Minister Cansfield, sent December 2, 2004:

"Dear Minister Kennedy:

"I am writing to you to express my support for the issues raised concerning the governance of the Ontario College of Teachers. As you know, I have had a long affiliation with the Ontario Principals' Council and have a good knowledge of its background and its *raison d'être*. I met with representatives of the Ontario Principals' Council on December 1, 2004, and agreed to write to you in support of the concerns which they expressed.

"No professional college can act in the public interest when its governing council is controlled by one union whose own mandate it is to defend its members against public charges. This issue must be addressed, as a council controlled by the Ontario Teachers' Federation will further increase the widespread perception that the college is controlled by the teachers' unions and does not adequately protect or represent the public interest."

The letter goes on:

"A further concern expressed by the" Ontario Principals' Council "surrounds the issue of peer review. I share the belief that there must be a mechanism put in place to ensure peer review for principals and vice-principals. Allowing teachers with limited understanding of these roles to judge school leaders is neither self-regulation nor peer review.

"I also support the" Ontario Principals' Council's "concerns about those conflict-of-interest guidelines which presently allow union leaders to be members of the OPC. They may have to defend the interests of their respective bargaining unit members while, at the same, time investigating, disciplining or judging the fitness to practise of these same individuals. One person cannot be a defender and a judge at the same time.

"I urge you to give serious consideration to finding a resolution to concerns affecting the 5,000 principals and vice-principals who are represented by the Ontario Principals' Council.

"Yours very truly,

"Donna Cansfield."

Is there a member over there who fully understands the teaching profession and the focus on the Ontario College of Teachers? Because unions shouldn't have the majority on the college of teachers, and they're going to now. The parents are concerned. Who's responsible for their child's education? Who's going to discipline her? There are many aspects of this bill that we have concerns about and that I know a lot of the school boards have concerns about. They've been quoted in the paper on various issues.

I just want to wrap up my time here by saying that everything is not in place in this bill. The fleeing minister has not left a good ministry to be picked up by the new,



current Minister of Education. They've just thrown money which school boards cannot finance, and we are going to oppose this bill as far as we can.

**The Deputy Speaker:** Questions and comments.

**Mr. Bisson:** I really appreciate the comments that were brought forward, because I thought they were insightful. They raised a number of points that I don't agree with entirely. We have a different political perspective. But I thought that at least it was well thought out. It was basically what I would expect from the member. There are a couple of things that I think are interesting, and I'd like to hear from the member a response to the question that I'm about to ask her, which is: I find it kind of odd that we've got these public interest committees. Why is the government creating public interest committees within the bill to deal with such things as prescribing what the form of the oath should be for teachers to take when they become teachers and determining if there has been a contravention in the oath, when that's what the College of Teachers is for? Right? It seems to me, the very basic thing is that a teacher—there are prescribed responsibilities that they need to follow as far as code of conduct, and part of the code of conduct is found within the oath.

My question is: Why would you need to have a public interest committee of high-paid people in order to oversee what the actual college of teachers is doing? It seems to me it's a duplicate layer. I ask myself, are there a number of people that they want to give jobs to? Is that what the government is up to? Is it that they're trying to create an extra layer because they just like doing that? Or is it just, quite frankly, that they don't know what the heck they're doing? I just look at that and I say, we're the ones as New Democrats who get accused of wanting to support bureaucracy, and I think, as a New Democrat, this is stupid. Why would you have a duplicate bureaucracy and board in order to do the same thing that the college of teachers is all about? It seems to me that the college of teachers, a good thing, is there to oversee the profession and make sure that they follow along what it is they need to do. Why do you need to have a duplicate—what do they call it again?—a public interest committee to do what the board does in the first place?

**Mr. John Wilkinson (Perth-Middlesex):** I'm glad to join the debate on Bill 78 and comment on my friend the member for Haliburton-Brock-Victoria, or something like that. It's a very simple question that my colleagues in the opposition are going to have to answer to the good people of Ontario. The good people of Ontario know that we were elected to serve under the education Premier with our former Minister of Education, Gerard Kennedy, whom I wish well. I congratulate our new Minister of Education, Sandra Pupatello, who I know will do a wonderful job.

2030

People will want to know on this bill particularly, when we go door to door, that the party that restored peace and stability to the classrooms, who said we weren't going to have a war zone—they will say, "When

you had a chance to vote for a bill that lowered class sizes, did you vote for that? Yes or no?" It will be interesting that there will be some in this House who will have to say, "No, I didn't vote for that." "Do you believe there should be long-term collective agreements with our teaching profession? Did you vote for that?" "No, I didn't vote for that." That's amazing. "Do you believe that formal, on-the-job learning is the second step in a teacher's professional development? Is that important? Did you vote for that?" "No, I didn't vote for that." I know I'm voting for that. I wonder if everyone in this House is going to vote for that. "Did you think there should be a college of teachers that was depoliticized, that represented the public interest? Did you think that was a good idea?" I know I'm voting for that, but others don't.

True professions always have a dual nature, where you have those who represent you as an employee and those who represent your profession. There are some who say that we should not have an independent college of teachers, that, when there is that rare example of a teacher who acts unprofessionally and needs to have their licence revoked—there shouldn't be a college. I am voting for that, because teachers are professionals and people will want to know—

**The Deputy Speaker:** Thank you.

**Mr. O'Toole:** I listened attentively to the member from Victoria-Haliburton-Brock, and she knows the plight that rural and remote schools are in. Despite the election promises made by the McGuinty government that the Minister of Education failed to deliver, the departing Minister of Education—halfway through the game he's taking his sweater off and leaving the team. I think she makes the point very well.

If you look at Bill 78, there are actually 10 sections. It's quite an onerous bill. As I understand it, it removes much of the authority of the boards. At the same time, it raises their stipend, which arguably is the right thing to do. But if you look at the evidence on the ground, not just in Durham region—and we heard earlier today the leader of the NDP and Mr. Marchese of Trinity-Spadina making the argument of the plight the school boards are in, the tragedy of the Toronto school board.

I'm looking at a recent release. This article is by Mira McDonald with respect to education. It says, "Warning: Deficits Ahead." We're talking about the Peel board today. There's a really frightening horizon here on education. What Gerard Kennedy did in his legacy is peace at any price, with longer contracts. He's dissolved the boards into a meaningless role with Bill 78. He's dissolved the function of the college of teachers as a self-regulating profession like lawyers, doctors or nurses. We should respect that profession, but I think he's doing a subtly disrespectful move by removing the real autonomy of the boards and giving it back to the unions.

My wife's a teacher and my daughter's a teacher. I'm embarrassed by this particular bill. The member from Victoria-Haliburton-Brock said the right thing.

**The Deputy Speaker:** The member for Haliburton-Victoria-Brock has two minutes to respond.



**Ms. Scott:** I thank the member for Durham, who has a long history of public service, including school boards, and many of his family work in the education sector.

This bill has overriding powers for the minister, and I touched upon them lightly. They're taking the local decision-making power away. There are some quotes I want to read. "The idea that Queen's Park knows best—whether the school board is in Thunder Bay or Guelph—obviously stinks for people like Bob Borden.

"Where's the local decision-making?" asks Borden, chairperson of the Upper Grand District School Board. "To me it's overkill."

Wellington Catholic board chairperson Marino Gazzola says, "Bill 78 takes away the autonomy and authority of school boards. The government already has control over many programs by requiring school boards to apply for funding. The government will have the power to take over delivery of programming if school boards aren't meeting provincial standards. That can include rules around use of resources, literacy, graduation rates, parents' involvement in schools, special education, and health and safety."

The boards are struggling. The member from Durham is right: The deficits are ahead. The school boards are trying to figure it out and take money from one thing, pay to another; robbing Peter to pay Paul, I think was used before. That's what they're facing. They're not getting enough money for special education, and the provincial government has overridden their local powers. They have signed contracts. I mentioned the amount of debt they are behind. Where's the money going to come from?

I just reiterate that Bill 78 is just a big omnibus bill that the fleeing minister brought in quickly because he didn't have a legacy to leave behind.

**The Deputy Speaker:** Further debate?

**Mr. Brownell:** It's certainly a pleasure to have some time this evening to participate in this debate, a debate on Bill 78, the student performance bill. There's a longer name, but I would like to refer to it as the student performance bill, because that's what it's all about: students.

Before making comments on certain aspects of this bill, I would like to first of all congratulate the new Minister of Education, the Honourable Sandra Papatello. I know that her work will follow on the good work we've had in this government from our leader in education, the Honourable Gerard Kennedy. He certainly worked hard. He supported public education. He supported teachers and students. In all his work, he had the students at heart.

I'd also like to say this evening, as I speak and as I look into the camera, that there's a lady sitting at 4 Gray Avenue in Long Sault who, every opportunity she gets, watches the proceedings of this House, she being my mother. Out of 12 children, my mother raised two teachers. The two oldest in the family were teachers. My older brother Tom was a teacher for many years and retired in 2001, I believe. I also served many years as an educator in my riding in the old Stormont, Dundas and Glengarry board of education in the Upper Canada board and had a great career. My career centred, in all I did, on the student. The student was held on a pedestal.

I listened to remarks this evening in the House about raising student performance. We're looking at that level of 75% and looking at it very clearly and focusing on getting our students to the 75% level. When I hear comments made that students shouldn't be using calculators, that the resources that would help those students who require it to get to those points in their education—I look at what we're doing as treating those students with respect. I made those comments as the member from Trinity-Spadina made comments; rarely do I shout out here in the Legislature, but I did make—we are treating students with respect.

He made the comments about using calculators. I go back to my very first class in September 1969. I was 19 years old. I had a student in that classroom who was 15 years old. I'll never forget. He was in grade 11, and he had trouble in school with mathematics. He came to me when he was in grade 12 and said to me, "Sir, when I got my hands on a calculator, my whole world in mathematics opened up." He took an accounting course in high school and said, "In taking that accounting course, I knew what adding, subtracting, multiplying and dividing was all about, I understood the concept, but it just wouldn't function up in here."

This is what it's all about. If we can get those students who understand that there's a process but have those deficits, if we can give them the supports, that's what it's all about. When I shouted out here, "Treating a student with respect," that's what I wish I had been able to do when that young man was in my very first class, wanting to excel in math, but he was struggling with math. There was a guy who went on, and I have to say he's a pillar of our community. I meet him often, and he's doing quite well.

**2040**

As I make my presentation here tonight, I'd also like to say that I have a daughter. In September of this year, she stepped into a classroom as a teacher for the first time. When I saw teachers struggling, understanding that the old Ontario teacher qualification test program, this archaic way of pen-and-paper testing and proving a teacher to be a teacher—when I talked to my daughter about that and talked about this new teacher induction program, she indicated to me that that's exactly what we need in education. We need those opportunities for teachers to mentor those first-year teachers. I have to say, she's at a school right now that is giving some opportunities for experienced teachers to reach out to those teachers who are stepping in for the first time. My daughter is very proud of her work with a teacher by the name of Tina Kilbride in Roxmore Public School in my riding, a very experienced teacher. She has great ideas, and she's going to be the best resource my daughter will have in her first year teaching at Roxmore Public School. She will have a principal who will give her all the supports in the world. She will have a government that has put new textbooks in her classroom. She will have a government that speaks with an understanding that physical education, art education and music education are



important. She will have those supports and she will have that encouragement from her mentor, her friend Tina Kilbride, in doing all she can possibly do to become the best teacher she can be in that first year.

As I return to my riding every week and talk to her—in fact, I had a chance to speak to her on the phone this evening just before coming in here—she's excited about her education, but she's excited because she knows that a teacher induction program will allow more mentoring. Just as when I walked into this Legislature in October 2003—the time certainly is flying—I was proud to have some members who had already had the experience here, and I was able to rely on their expertise, to have them as my mentors.

**Mr. Dave Levac (Brant):** Name names.

**Mr. Brownell:** I'm going to name one: Jean-Marc Lalonde, from my neighbouring riding of Glengarry—Prescott—Russell. He stepped forward. I remember I was sitting over on that side in my first year and a half. I'm in the rump now, but that's okay. I get to see the ministers' faces as they're performing. He helped me so much, and that's what a mentor is all about. That's what this teacher induction program is all about: It's to get new teachers, with new opportunities, with those teachers who have had all the experiences in the world.

I'd also like to comment about the professional activity days. There are comments in Bill 78 reflecting on professional activity days. There's nothing finer for a teacher who wants to provide their expertise in a professional development day for teacher education. It certainly was. I was in the education system for many, many years. I retired in the year 2000. I saw the whittling away and the gradual elimination of some of those professional development days. I absolutely enjoyed the opportunities of participating in professional activity days, but I was also excited about providing expertise. I loved history. I loved teaching history. I loved turning students on to history in my classroom, and I loved to do the same thing with teachers. That's what professional activity days were all about. It was to give those teachers the opportunity of learning from teachers, bringing those new ideas back into the classroom, but it was also giving those teachers with experience the opportunity of stepping up and showing some leadership. I absolutely enjoyed that in my profession, being asked by a curriculum committee to provide some professional activities to teachers. That was exciting. But it was also exciting for me to be in some of those other programs to learn.

If we can get a teacher induction program in place that's going to provide the mentoring, if we can get the programs in place and increase professional day opportunities for teachers, then we are going to, as a government, as a Ministry of Education, have the resources in place, along with those new textbooks we're putting in classrooms and the opportunities for students to use that other part of the brain when they do art and music. We're going to have those opportunities, and that's going to be an exciting time for the new teachers.

As the member from Etobicoke North said, we have a knowledge-based economy and we have to educate our

students in that knowledge-based economy. By doing what we have planned through Bill 78, by giving the educators and the students those opportunities to mature in a very sound way, we will be doing a great—I know the teachers are very happy with what we're doing at the moment. Last Friday, I had three teachers in my office at 4:30 in the afternoon talking about the supports they've been given in their profession by our former minister. Actually, they made a comment to me that they hoped he wouldn't move on. But now they will find out that Minister Papatello has stepped into his shoes, and she certainly has some big shoes to step into for some of the programs we have with Bill 78, some of the things we want to do. I think it's an exciting time for education, an exciting time for students in our classrooms, and an exciting time for teachers in our classrooms as well.

At this stage I'll wrap up. It's been a great opportunity to speak on this bill and to once again hold the teachers of our province on a pedestal—and to hold our students on a pedestal, because that's what teachers do in this province.

**The Deputy Speaker:** Questions and comments?

**Mr. O'Toole:** I'm pleased to respond to the member from Stormont—Dundas—Charlottenburgh. I used up half my time saying the riding; I mean that respectfully.

I respect the time you've spent as an educator. I would say publicly that there is no more important job than the educator who's in front of our children and behind our children at the same time, trying to motivate them, encourage them and reinforce the importance of learning. Someone asked earlier if my wife is a teacher. It's very important to say that, yes, she is. I know the time and commitment she has. It's a professional calling; it really is. I have a daughter who's in the same mode.

Where we differ here is the function of the college. It's sort of Inside Baseball. The college, as a self-regulating profession—we talked about it earlier under Bill 14—is one of the areas where I have some trouble. A college shouldn't represent the interests of simply one interest group. In this case, that would be OSSTF or whatever. I think the important thing here in Bill 78 is that it does subrogate some of the responsibilities. It's an acquiescence to the teachers' unions.

**2050**

I don't vilify teachers. There are teacher unions and teaching as a profession, and in this case, they're going down the wrong road. I think to reward professionalism is important; to differentiate between those who make a valued contribution to children's lives and their education and their pursuits is important. This bill fails in almost every measure that I could respond to in its 10 sections. There's much more that could be said, and the member from Haliburton—Victoria—Brock said most of it in her speech earlier tonight.

**Mr. Bisson:** To the member: I agree with his premise that teachers need to be valued and teachers need to be applauded for the work they do. There aren't many of us in the Legislature who would disagree. It's not an easy job. I did it as a supply teacher in the trades department.



I'm an electrical worker by trade; an electrician, I guess you would call it. I had the opportunity to teach at the high school level in the trades department. I understand fully that for teachers who go before students every day, it's not exactly an easy job.

At first, it's exciting, for the first two, three or four years, because it's different, and you love working with the kids and sharing your knowledge with other people. But after a while, it gets to be a little bit long in the tooth, basically working with the same people all the time, and eventually, it becomes a bit of an issue to motivate yourself to be in front of the kids over the longer term. I think that's one of the failings of our school system. We need to find some way to re-engage teachers so they can recharge their batteries and get excited again and move forward.

I think some people are really cut out for it and, after 30 or 35 years, they're as fresh as or better than when they started. But for a lot of people, like me, it's a little more difficult, because you need other ways to challenge yourself when you're working with younger people who are maybe not as fulfilling as far as being able to challenge you over the longer run. The issue is: What does this bill do to do that?

What you've basically got is a bill that deals with giving school board trustees an ability to make more money. I don't disagree with that—that's good—but that doesn't do a lot to validate teachers. The bill deals with the issue of the Ontario College of Teachers, which we all agree on. The college is there, but we're creating a duplicate bureaucracy called the public interest committee that's basically going to have the responsibility of, as I see it, overseeing what the Ontario College of Teachers does.

As much as I agree with the comments made by the member, I fail to see what this does to the valuation for what teachers do. I want to thank you, Speaker. It's been a pleasure—

**The Deputy Speaker:** Thank you. Questions and comments?

**Mrs. Maria Van Bommel (Lambton-Kent-Middlesex):** Thank you for this opportunity to speak to this bill. I certainly want to speak in favour of the student performance bill.

One of the things that I've noticed in my riding, in particular as a rural riding, is the change that I have seen in education and the change that I have seen in the teachers in my community. Teachers have come forward and said that they're very happy with the peace and stability that the former Minister of Education, Gerard Kennedy, has put into place.

Everyone has been congratulating the new minister, Sandra Pupatello, and I add my congratulations as well. I certainly look forward to her involvement in the education role, because I know she cares about children.

One of the things that I noticed in particular in my riding was the fact that after the former government got through making its changes to education, nobody wanted to run for trustee in the school board. At one point, we

actually had to reopen the nomination process because nobody put their name forward. And it has nothing to do with being paid or how much you're paid; it's the value. It's being valued as a trustee and being given some respect for doing that. People want to be respected when they represent their communities. It's not an easy thing to do. We do it here as MPPs every day. People who are on hospital boards, people who are on school boards—those are undertakings that mean you put yourself out there. When you don't seem to get the respect from your provincial government for doing that, a lot of people don't want to volunteer for those kinds of things.

I am very glad to see that we are now coming back to a point where we are showing respect for our teachers and we are showing respect for our trustees. By doing that, we are going to help our students, because it's going to become an important job again to be involved in the education of our students.

**Ms. Scott:** It's a pleasure to rise and comment on the member for Stormont-Dundas-Charlottenburgh on Bill 78, the Education Statute Law Amendment Act.

A lot of discussion has taken place tonight around the Ontario College of Teachers. I think the member from Durham has members of his family who are teachers. I, myself, have had, for generations, teachers in our family. There's no doubt that they deserve a great deal of respect and support. But in giving the teachers the majority on the Ontario College of Teachers by adding the six elected teacher positions, we're concerned that it's handing control of the college to the unions, and they're not going to be able to discipline bad teachers and regulate the profession. We all respect the profession, and we want to keep its integrity there. It's a professional body. Again, we say that other professional regulatory bodies are not like that. So we have concerns with that, that it will somehow deteriorate the profession. When the members are saying that, "The teachers are happy with us," I hear opposite things in my riding of Haliburton-Victoria-Brock.

Rural and northern schools are closing across the province. They need a new funding formula. This government is changing the Ontario College of Teachers' composition and giving the minister overriding power, taking away, stripping from local school boards their decision-making abilities. That's no sign of respect for local school boards and their decision-making capacity, or the trustees. The school boards are going to be in deficit positions, and what's this government going to do? "Oh, it's going to happen after the next election." That's kind of irresponsible behaviour, and it's one of the reasons why we're opposed to Bill 78.

**The Deputy Speaker:** Member for Stormont-Dundas-Charlottenburgh, you have two minutes to respond.

**Mr. Brownell:** Oh, yes. Sorry about that.

**The Deputy Speaker:** Sorry to wake you, but you do have two minutes.

**Mr. Brownell:** Thank you, Mr. Speaker. I'm sorry about that. I was certainly tied up in some other



reflections here. But the members who have spoken: the member from Haliburton–Victoria–Brock, the member from Durham, and the minister—

**Mr. Levac:** Maria Van Bommel.

**Mr. Brownell:** Oh yes, the minister—right. She did speak on this, the minister from Lambton–Kent–Middlesex.

I was proud to have been given the opportunity this evening to address this bill and to make comments about the bill. Having spent all that time in a classroom, I felt it important that I say a few words in support of teachers first of all but, more importantly, in support of the students. Every week, I get opportunities to touch base with former students of mine. In fact, this summer I'm going to have an opportunity to touch base with the very first class I ever taught. We're having a reunion over the July 1 weekend. That's going to be a great time to celebrate, but it's also going to be a great time to reflect. I'm hoping I have some time to reflect on that student I talked about, who had the opportunity in grade 11 to get his hands on a calculator. These are the tools that are required in education today. These are the tools that should not be commented about that they do not give to the best in education. They do. They unlock some of the opportunities for students who have deficits, and we should always, always be mindful of that. For the teachers in the schools, the new teacher induction program, it is vitally important for their success and the success of teachers in the future.

**The Deputy Speaker:** Further debate?

2100

**Mr. Norman W. Sterling (Lanark–Carleton):** It's a great pleasure to speak to a bill about which I've had some interest in some of the issues for quite a long time. This bill is an omnibus education amendment act, and I guess at the outset I would note that when the government was in opposition, they would speak very strongly against any bill that dealt with a number of different matters that were not related to each other. In this bill we have a number of different issues being dealt with.

Number one is the Liberal government's move away from their promise in the last election with regard to class sizes. Basically, what they've done is taken the advice of the then Conservative government and said, "Set class sizes but allow flexibility within the system at the local board to reach those goals as you go forward," because, as everyone knows, in any school district there are always different pressures on class sizes. So this is a big retreat; yet another broken promise by the Liberal government during the campaign.

One of the other parts of this bill that I find troubling is removing qualifying tests for teachers. If you asked any parent, if you asked any grandparent—I have six grandchildren now, and I want to be assured that their teachers have passed some kind of test in order to get into the classroom. I believe that test should be somewhat universal, so that everybody in this province should be given it.

Those are two entirely unrelated subjects which are in this bill. But the subject which attracts most of my

attention are the amendments related to the Ontario College of Teachers. For the public who are watching here tonight—those few of them who are—I think the whole notion of how professions manage themselves and how the government relates to them should be explained in fairly empirical terms. Basically, what happens in most professions is that there are two wings to the profession. One is the association—the society, as it is with the engineers. In the legal profession it's the law association—the Canadian Bar Association, the Ontario Bar Association. On that side of the ledger, those groups represent the interests of the profession. In other words, if they want to change the rules, if they want to protect their members from liability, if they want to increase their abilities to be compensated, if they want more services provided by the government—that's what the associations do. That's what the Canadian society of engineers does, and that's what the Canadian Bar Association does.

But, on the other side, we as government create colleges. In the case of the lawyers, it's called the Law Society of Upper Canada. The Law Society of Upper Canada is not there to represent the lawyers; it's there to represent the consumer and the people who are using lawyers' services. Professional Engineers Ontario are there to represent the interests of the public, to ensure that when engineers design buildings or when they work on the site, they are qualified to do what they are doing. And so the public are protected from that building falling down, deteriorating and all those kind of things. So that's what the college side, or the Professional Engineers Ontario, as they're called, and the Law Society of Upper Canada do on this side.

So there are two balancing organizations within most, if not all, professions. And in the case of teachers, until 1996, when the former Conservative government was in, there weren't two organizations. There was the union representing the teachers' side, but there was no counterbalancing side with regard to the profession of teaching. So in 1996, we created the Ontario College of Teachers. And that particular bill was supported by all three parties because it emanated out of a report which the government asked to be done, and that was the recommendation of the report.

I can tell you, from experience as a former minister of the crown, that there was significant resistance from the union of teachers. They were concerned that the Ontario College of Teachers would be difficult to deal with. They would be disciplining their members. The college of physicians, for instance, is there for people of the public to complain about a service which their physician might have provided, and they are there to discipline a physician who has acted incorrectly. The Ontario Medical Association is on the other side, and they are there to protect the physician from attack, or they're there to ask that the physician receive more compensation from the government, receive better access to hospitals etc.

In other words, on the one side of the ledger you have those people who are acting "in the selfish interests" of



the person practising that particular profession. On the other side, you have the group, like the college of teachers, which is there to protect the public and, in particular in this case, a public which is very vulnerable because while I talked about the college of physicians, the Law Society of Upper Canada, Professional Engineers Ontario and the college of teachers all having essentially the same kind of function, I believe that the college of teachers' function is more important than the other two. The other functions that those three other groups provide are very important, but in all those cases, you have adults interfacing with adults. In most cases, you have an adult client dealing with an adult provider of a service. Most people who go to a lawyer's office are adults. Most people who go to a physician are adults or they bring their children along, and so there's an adult advocate there to represent them. In all of those cases, you have an interface between two people who are on fairly equal levels with regard to their knowledge of the system and their ability to question the service that they're receiving.

In the case of our grandchildren and our children, we put them on the bus, they go to the school, they walk into the school and into the classroom and there's a huge amount of trust that is placed between the parent and the teacher. You know, we have wonderful teachers here in Ontario. That trust is very rarely breached. We have a huge gathering of people who have chosen the teaching profession for all the right reasons. I know my granddaughter Tierney, my grandson Brayden and my granddaughter Madleine all love their teachers. Their teachers are just so much a part of their lives, and they're just great and wonderful people. But you know, when you have 200,000 teachers in the province who are under the Ontario College of Teachers, you're going to have some who are there and shouldn't be there. We've all had the experience of going through school where we had some teachers who were great, and most of them were great: 99% of them were absolutely dedicated to what they were doing and did a great job, but there were always a few in your school that you knew were not putting out full effort and were just not gifted with regard to teaching.

I think it's important for us to have, in this system, the absolute best check on those teachers who do not meet the standards.

**2110**

As I said, I was very proud to be part of a government that set up the Ontario College of Teachers. I must say that since 1998, when it was set up, a very small number of teachers have been in front of the discipline committee of the college of teachers. In fact, only 296 teachers have been in front of the board. One of the troubling parts of the college of teachers is that if you have 200,000 teachers, 296 over eight or nine years is not a very large number with regard to the aggregate of 200,000. So one might ask, are they doing their job in protecting our kids? One of the largest percentage of discipline in terms of revoking a licence, for instance—last year 13 licences

were revoked out of 200,000 teachers in the province. That's not a very large number, but the largest percentage of that related to abuse of a student: physical, sexual, verbal, psychological or emotional. The next largest percentage—and you're talking 13 people, so it's not a large number—was conduct unbecoming a member of the profession. When you look at it, that's 296 cases over the last seven or eight years, and only five or six teachers have been asked to leave the profession because of incompetence.

It's hard for me to say that, even though there are 35,000 lawyers in Ontario, there aren't more than five or six who are incompetent. Last year, for instance, the Law Society of Upper Canada, which has only 35,000 in their group, disbarred about the same number of lawyers as teachers who were denied their licence out of 200,000. So there's a 6 to 1 ratio of lawyers who are being disbarred as compared to teachers.

The biggest problem with this bill is that it gives the union, which is supposed to be over here, the ability to control what happens over here in terms of the college of teachers. What happens during the election of the people who are on the college? I can say, with regard to the professional engineers, of which I'm a member, and the Law Society of Upper Canada, that there's a free and open election of the people who sit on the college side. Every member, in electing those members, is not told by the Canadian Society of Engineers or by the Ontario Bar Association whom they should vote for on the regulating side. But that's not the case with regard to the college of teachers. What happens is that the union puts up a slate and says, "We want these people elected to be on the college of teachers." Therefore, it leads one to a great deal of speculation as to what those people are going to do to ensure the safety of our kids in our schools when a teacher is brought in front of them with regard to discipline matters.

So I would have no problem with increasing the number of teachers as suggested in clause 50 of this amendment act if in fact there was within this act a law which said that the union cannot and must not participate in the election of the college of teachers, which they are doing now. They are doing that now and they've done that over the last six or eight years, because they have this mentality that, even though they control the association side and the interest of the teachers' side—that's their job and they can do that, but what they're doing is controlling the other body. That is our concern here with regard to the increase in the number of trustees to give them a lock on the college.

I suspect that as we look at the statistics going forward from the college of teachers, which has a pretty even distribution of teachers and non-teachers at this time—it's about 50-50—what we will see are fewer teachers losing their licence, because what will happen is that the union guys are not only over here but they're over here. They're at the college. They're not representing the interests of the consumer, the citizen, the kid, the student; they're over there representing the interests of the



teachers. That's the concern. That's the overall concern of the functioning of the college of teachers.

If the government would put forward amendments to this bill that would ban and make it an offence for the union to participate in the election of the college of teachers, I would support this bill. I would support that section of this bill. I would have no problem doing that, because that's the way other professions operate. But the bill, as written now, is flawed. I believe that the college of teachers, in its first seven or eight years, has done a commendable job and could increase its role and could do an even better job of protecting our children into the future.

This bill is unfortunately a sell-out to the union that represents the teachers of the province of Ontario. Thirteen out of 200,000, with regard to disciplining them: That makes me a little bit frightened that the number is so small in relation to the overall number of people involved in this profession. I mean, 99.9% of the teachers are absolutely doing a great job. All I want is the 0.1% dealt with. We have 0.01% being dealt with. In spite of the fact that I may be interpreted as being against the teaching profession, we have to protect our kids when we entrust them into the school and into the classroom.

My mom was a teacher for 25 or 30 years. My dad was a principal in a school. I've had a huge number of people come to me and tell me what great people they were as teachers and the trust they put in them. I think that trust would continue on in the future as long as we have a strong college of teachers, and the only way to deal with that is to keep the union out of the college's business.

2120

**The Deputy Speaker:** Questions and comments?

**Mr. Bisson:** I have a couple of specific questions to my good friend Mr. Sterling, the dean of the Legislature, the member from—

**Mr. Sterling:** Lanark–Carleton.

**Mr. Bisson:** Lanark–Carleton. I've been here for 16 years and I can't get the ridings right. That's why I never run for Speaker or Deputy Speaker or deputy deputy. I figure, as whip, all I've got to do is figure out names. It's pretty easy in my caucus; there's just a few of us, so it's pretty easy to remember.

I've obviously got a different view in regard to the role of unions and their particular responsibilities.

**Mr. O'Toole:** You get paid to say that.

**Mr. Bisson:** Well, I used to be on the payroll of a few unions, but that's not the issue.

The thing I want to ask him is this. We all agree that the idea of the college of teachers is not a bad one to make sure that, like the other professional bodies you spoke of, they have an ability to self-regulate and set in place a code of conduct and the rules when it comes to teacher behaviour and what they're supposed to do in a classroom. But I wonder why the government is creating a second layer within the college of teachers by creating what they call public interest committees. These public interest committees are going to be created and are going to have the specific responsibility to determine the

prescribed form of the oath for teachers and then determine if there are any contraventions of the oath.

I've got to ask my colleague from Lanark–Renfrew—  
**Ms. Scott:** Carleton.

**Mr. Bisson:** Carleton. See? Even after you said it, I didn't get it.

Why would you need to have two boards within a board? It seems to me that the college of teachers has a board that deals with any complaints brought forward by whomever, but now you've got this other sort of board within a board that oversees what the board is doing in the first place. It just sounds to me quite complicated for nothing. I want to know from my good friend what he thinks of that particular aspect of the bill.

**Mrs. Sandals:** I'm pleased to respond to the speech from the member from Lanark–Carleton.

I think we need some clarity brought to this argument. The member from Lanark–Carleton is quite correct that within countless professions we have the advocacy group for the profession that is responsible for advocating for compensation and privileges for that particular group of people, and then we have the college that is responsible for protecting the public interest. I agree with him there. But what he has omitted to mention is that many of the people who are board members on the College of Physicians and Surgeons, the public interest group, are also members of the OMA, the advocacy group or union. Many members of the College of Veterinarians, the professional body, are also members of the OVMA, the advocacy group. Many members of the board of the governing council of the college of professional engineers are also members of the society of engineers, the advocacy group. Exactly the same thing is happening with the college of teachers. The people who are on the governing council of the College of Teachers, if they are classroom teachers, are also members of the union, the advocacy group. If they are classroom teachers, they will all be members, because the law requires them to be members of the union—not because there's some evil plot going on, but simply because, by virtue of their position of being employed as a teacher by a school board, the law—the law under the NDP, the law under the Conservatives, the law under all three parties—requires them to be a member of the union. It's that simple.

**Mr. O'Toole:** I commend the member from Lanark–Carleton for bringing up the most contentious portion of this bill. No one here would want to diminish or demean in any way the value of education, but the member was just saying that this issue has been—it was a part of the Royal Commission on Learning, the For the Love of Learning document. David Cooke of the NDP had that document, the royal commission. One of the more important parts of it was dealing with the function and governance of the college of teachers. You would know, Ms. Sandals, that David Cooke was unable to find a solution. In fact, he left it rather nebulous. The member from Lanark–Carleton, the dean of this place, a lawyer and an engineer, made a very definitive argument that demonstrates—you tried to make the point between the



OMA and the College of Physicians and Surgeons. The self-regulating professions, by nature, are self-governing. As such, the disciplinary function of the college is independent and autonomous of the disciplinary function of the union. That's where the real anomaly lies here, when the unions themselves actually appoint.

There's no one—again, I repeat—diminishing the importance of the profession of teaching. Perhaps they're doing it to themselves.

*Interjection.*

**Mr. O'Toole:** No, no, I mean that. This is the inability of some of the members to understand the argument that's being made by the member from Lanark–Carleton. I'm going to try to find the name of the member who's actually barracking. Mr. Levac, a teacher, knows that this is the professional, ethical question when you read the Royal Commission on Learning. Mr. Levac, as a former principal, should know. When they separated the principals from the union, this is the real argument that's being made. No one wants to talk about the argument here, but Mr. Sterling has done a very good job making that argument, and some of the members don't get it.

**The Deputy Speaker:** Questions and comments?

*Interjection.*

**Mr. Wayne Arthurs (Pickering–Ajax–Uxbridge):** I'm sure the member for Durham has just about finished his two minutes. I'm pleased to take a couple of minutes while the opportunity presents itself.

I want to take the little bit of time I have and talk about where we've come to. Where we have come to at this point is making a major transformation in education. It wasn't that long ago that one out of three teachers didn't last five years. I'll be interested in seeing, in the not-too-distant future, what those numbers look like. I'm going to wager that far more teachers stay in the system, in just a few years from now, than did under the former government's reign of terror. I can't remember whether it was Dave Johnson or John Snobelen or Janet Ecker who wanted to create a crisis in education, but take your pick, because they helped each other and they achieved that goal.

In October 1997, there were thousands of teachers across this province out on the streets. They didn't want to be there, but the government of the day left them no choice. Today, we have a far different environment in education. We have an environment in education where, through this legislation, young teachers are going to be mentored. They're going to have the opportunity to be

supported in those early teaching years. They're not coming into an environment that is poisoned by a government structure that demeans the profession. They're going to have the type of support that teachers desperately need. I would wager that when we look back in just a few years, we will not see the dropout rate of one in three over five years. Young teachers will stay in the system, and we will benefit because of that.

**The Deputy Speaker:** The member for Lanark–Carleton, you have two minutes to respond.

**Mr. Sterling:** It's a great pleasure to have people actually talk about some of the things you said, so I thank the members who responded.

Yes, people who are in the OMA are part of the college of physicians. People who are teachers are in the union, because you don't have any choice whether you're in the union or not, and you're going to be on the college. The point I was making is about the participation of the union in the election of the college of teachers. What they're doing is that they're indicating the slate, packing the deck, for the selection of who sits on the college. That's really dangerous, because in that case the profession puts itself in the vulnerable position of saying that the teachers who are on the college—and many of them were former union representatives in different locals across this province. I know one of them in my area.

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** Name names.

**Mr. Sterling:** Larry Capstick was his name; he was elected as a former union representative. And there are many others. They should disqualify themselves, if they sat on the union executive, from sitting on the college.

This whole notion that the people on the college are members of the union—that's a non-starter. That doesn't deal with the real problem. It's about the control of the college, as opposed to a free election of the teachers who represent the profession and are going to uphold the profession of the teachers as we go forward.

We are proud of the tremendous advancements that the Conservative government made in education. Tests for kids proved that the system of Mike Harris and Ernie Eves works.

**The Deputy Speaker:** It being 9:30 of the clock, this House is adjourned until 10 of the clock on Thursday, March 6.

*The House adjourned at 2130.*

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Second Session, 38<sup>th</sup> Parliament

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Deuxième session, 38<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

**Thursday 6 April 2006**

**Jeudi 6 avril 2006**

Speaker  
Honourable Michael A. Brown

Président  
L'honorable Michael A. Brown

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers



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# LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 6 April 2006

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 6 avril 2006

*The House met at 1000.  
Prayers.*

## PRIVATE MEMBERS' PUBLIC BUSINESS

### GRAVESITES OF FORMER PREMIERS ACT, 2006

#### LOI DE 2006 SUR LES LIEUX DE SÉPULTURE DES ANCIENS PREMIERS MINISTRES

Mr. Brownell moved second reading of the following bill:

Bill 25, An Act to preserve the gravesites of former premiers of Ontario / Projet de loi 25, Loi visant à conserver les lieux de sépulture des anciens premiers ministres de l'Ontario.

**The Acting Speaker (Mr. Ted Arnott):** Pursuant to the standing orders, the member has 10 minutes to make his presentation. I recognize the member for Stormont–Dundas–Charlottenburgh.

**Mr. Jim Brownell (Stormont–Dundas–Charlottenburgh):** I rise in support of my private member's bill, a bill that I had visions of even before getting into this House. I always felt that it was important to recognize not only the Prime Minister of Canada but the Premiers of our province.

Ce projet de loi reconnaîtra les lieux de repos de ceux qui ont dirigé cette province à travers son histoire.

Before I begin, allow me to welcome Mr. Robert Leverty, director of the Ontario Historical Society, and Ms. Marjorie Stuart, a volunteer from the Ontario Genealogical Society, both of whom are in the members' gallery today. To you both, who have come out in support of this bill, and your members who have supported this bill, I welcome you. Both of you have been strong supporters of this bill. And for that I thank them and their associations. You have been supporters of the recognition of all people buried in this province in all cemeteries, recognizing their final resting places.

I would also like to thank the close to 60 communities across Ontario who have passed resolutions—and I have the 60 resolutions with me here today—in support of Bill 25. I also have to thank Mr. Bill Upper, councillor from the township of South Stormont, for proposing the first such resolution some time ago. He and Councillor Barry

Brownlee from South Stormont moved and seconded that motion in South Stormont, and we see the support today from these 60 communities.

Above all, however, I must acknowledge and thank the Minister of Labour, the Honourable Steve Peters, for it was with his thought and ideas in previous sessions that we had a similar bill proposed. So this bill has been his brainchild, but it was certainly something that I picked up as somebody working very, very hard back in my community to support the preservation of history and heritage.

What all these men, women, associations and communities have done is support an act to recognize the men, and eventually there will be women, to whom Ontario's history was entrusted and by whom our future will be shaped.

While all of us here, as elected representatives of the people of Ontario, are entrusted with promoting and addressing the concerns of Ontarians and shaping the policy that affects their lives, it is the Premier who must provide the vision and determine the direction the province will take.

The legacy of our Premiers must be experienced in every aspect of our lives. As an example, let me tell you about Sir James Pliny Whitney, after whom the Whitney Block next door is named. Every time I walk through the Whitney Block I'm proud because Whitney represented the riding of Dundas county, which is now part of my riding of Stormont–Dundas–Charlottenburgh. He was a noted orator, a skill he no doubt honed while a student at the Cornwall Grammar School, now called Cornwall Collegiate and Vocational School. I might add that this school, at which our first Premier, John Sandfield Macdonald, was also a student, is the oldest public high school in Ontario and celebrating its bicentennial this year. I will return to CCVS, the oldest public high school in Ontario, in a few moments.

John Pliny Whitney became the sixth Prime Minister of Ontario in 1905. Recalling his rural upbringing in the township of Williamsburg, he introduced extensive legislation pertaining to agriculture, laying much of the framework that has shaped Ontario's agricultural industry to this day. His government also laid the basis for Ontario's industrial development by creating the Ontario electric commission and passed the Workmen's Compensation Act.

This bill proposes to recognize the burial sites of our Premiers. With regard to James Pliny Whitney, his burial site is now under Lake St. Lawrence, because in the 1950s—from 1954 to 1958—we had a huge project down



in my riding, building a power dam at Cornwall, flooding 40,000 square acres of land and covering his boyhood home. It was his boyhood home that had to be destroyed by Ontario Hydro in order to create that hydro development.

Let us also consider Sir George Ross, who represented Middlesex West as Prime Minister of Ontario from 1899 to 1905. Sir Ross promoted the construction of a provincial railway for northern Ontario. Every member from the north can surely appreciate the importance the northern railway played in creating accessibility to the farthest reaches of the province and those living there.

As much as the vision of our Premiers has affected us all as a province, these individuals are also a source of pride to their home communities.

I return to CCVS, formerly known as the Cornwall Grammar School, as important an educational institution as any in the province. As I mentioned, the first Premier of Ontario, John Sandfield Macdonald, attended this school and, indeed, said of his experience there, "I owe all the spirit of independence, which I have maintained throughout my career, to my learning in that school." Imagine the impact these words had on the students of the day. Imagine the pride they would feel in their institution and in themselves for being the continuation of that learning. That legacy has never died. Just as I felt privileged to attend this school with such a prestigious history and heritage, so too does every student and educator who has passed through those hallowed halls.

Each community that is the last resting place of a former Premier feels that same connection to history as I felt in my riding of Stormont–Dundas–Charlottenburgh, where both John Sandfield Macdonald and James Pliny Whitney have their burial sites and memorials, and I continue to feel that. These communities draw pride from that connection and understand the importance of recognizing the role and history those former Premiers played.

Just as the federal government acknowledges those who have steered this nation through the trials of the last century and a half, these men and their contributions deserve to be recognized by the province. I would say that such recognition is long overdue.

1010

The intent of this bill is to rectify the situation by marking our former Premiers' places in history. By placing a flag and erecting a plaque at these burial sites, the Minister of Culture will do more than pay respect to those who have led us in the past. The minister will be reinforcing a symbol of pride for a community and a family. The minister will also create a cultural landmark, one that will attract visitors from far and wide.

I hold in my hand a brochure from the national program for the gravesites of Canadian Prime Ministers. I can tell you that these gravesites receive many visits yearly by Canadians looking to connect with their past, by researchers and historians and by visitors curious about individuals themselves. I have no doubt that once known and properly marked, the gravesites of Ontario's former Premiers will receive similar attention.

Je vais visiter les tombes de chacun de ces anciens premiers ministres au courant des prochains mois, et j'encourage tous les membres d'en faire autant.

I would like to thank the members from Brant, Elgin–Middlesex–London, Guelph–Wellington, Haliburton–Victoria–Brock and Simcoe North for agreeing to go with me to visit the resting places of some of these gentlemen. Hopefully, the other members with former Premiers buried in their ridings will be able to visit these gravesites with me as well.

These sites are spread throughout Ontario, from here in Toronto to my riding of Stormont–Dundas–Charlottenburgh, to Simcoe North. Our former Premiers represent the geographic diversity of the province. They are also from various political stripes, an indication of the ideological diversity of this province. This diversity is an indication of how strong the political tradition is in this province, a fact we will commemorate by recognizing the gravesites of these Premiers.

John Sandfield Macdonald, of my riding, was a Reform member, and I celebrate him. Gordon Daniel Conant was a Liberal, and our colleague the member from Oshawa celebrates him. It was just a week and a half ago that I had an opportunity of visiting in the gallery with the son of Gordon Daniel Conant.

As I mentioned earlier, members from both the government and the official opposition will be joining me in visiting memorials to the former Premiers buried in their ridings. I believe this participation speaks to the non-partisan nature of this bill as well as the character of Ontarians.

In the end, the former Premiers of Ontario were ordinary people, with families, friends and personal interests no different in those respects from any Ontarians. What set them apart were their vision, their determination and their leadership. This is the leadership that we celebrate with this bill, which I am very happy to propose and have a chance to speak to in second reading debate here this morning.

**The Acting Speaker:** Further debate?

**Mr. Norm Miller (Parry Sound–Muskoka):** It's my pleasure to add some comments today on Bill 25, An Act to preserve the gravesites of former premiers of Ontario, that is being put forward by the member from Stormont–Dundas–Charlottenburgh.

Before I start, I would like to note that today, April 6, is Tartan Day. I'm wearing a Stewart tartan. My father, a former Premier, was well known for wearing a full-blown jacket in the Stewart tartan. A couple years ago I actually wore his jacket in here on Tartan Day, but I know that the member from Bruce–Grey–Owen Sound, who had a lot to do with making Tartan Day, will probably wear a nice tartan today. Today is the first time I've seen the Speaker, Mr. Arnott, actually wearing a kilt, a very nice kilt too, I might add.

**Mr. Dave Levac (Brant):** Nice knees.

**Mr. Miller:** I'm not going to comment on the Speaker's knees, as the member opposite has asked me to.



I just have a few minutes today to speak to Bill 25, so I think I should get to that. I certainly support Bill 25, which “requires the Minister of Culture to mark gravesites of former premiers of Ontario and permits the minister to make agreements for the care and preservation of such gravesites. In marking the gravesites, the minister shall comply with the bylaws of the cemetery”—I think that’s important—“where the gravesite is located and shall respect the wishes of the family of the deceased Premier.”

There are some 18 of these gravesites around the province. Some of them are not cared for and some have been forgotten about. I think each of those 18 Premiers in his own unique way has contributed a great deal to the history of this province. I think it is important for us to note those gravesites and to promote our history.

I do support this. I have a personal interest, of course, because my father was Premier of this province for a short time back in 1985. It was something he was very proud of. Next to his family, it was the thing he was most proud of in terms of the accomplishments in his life. I know he was extremely proud of that and I’m sure he would support this initiative, and I would be very pleased to support it.

In the bill, it notes that the power of the Minister of Culture, in this case, would allow them “by means of flags of Ontario and of Canada, plaques, signs and other suitable markings” to “mark the gravesites of former Premiers....” As the member mentioned, there is a similar program in effect for Prime Ministers.

I look forward to this bill passing. I know that the member from Haliburton wants to speak to it, so I’ll let her take over in just a few minutes. I also look forward to welcoming the member from Stormont–Dundas–Charlottenburgh into Gravenhurst and Muskoka, where we will visit my father’s, the former Premier’s, gravesite.

**Mr. Peter Kormos (Niagara Centre):** I read the schedule, and I suppose it’s a pretty impressive list of white male Anglos and Anglo types. I have no qualms about anybody’s grave being marked appropriately and preserved with dignity. I’ve got no qualms about graves of Premiers being especially acknowledged so that people who are students of the history of this province can visit them and help understand—it’s like any time you travel: Whether the historic sites you visit are from the 20th century or whether they’re from the 1st century, to be able to touch those things, to be able to be in the presence of those things, starts to make the connect.

Having said that, I want to talk about the graves of decades, generations, indeed centuries of workers in this province, like the graves—some of them in disrepair to the state where they’re unrecognizable—of the canal workers down in Welland with names that at the time were oh so foreign but today are commonplace. At the time, they were foreign enough to be exotic and frightening, those southern European names and eastern European names, the forgotten heroes of this province and this country, working women and men who gave their lives building our canals, working in our factories, digging and working in our mines and dying in those mines.

I want to pay tribute, during the course of talking about how we remember, commemorate and recognize the people who have passed, to the people who have been victims of workplace violence, whose bodies were either poisoned or simply broken to the point where they could no longer live.

I appreciate the intent of the author of this bill. But I want to tell him that, especially in provincial politics, once you’re gone, you’re gone. The provincial political experience is so Warholian. Quite frankly, it’s equally Warholian for the vast majority of federal members of Parliament. That’s just the way it is. We 103 of us tend to think we’re oh so important. In some respects, we are a relatively exclusive club: Only 103 Ontarians get to sit here at any given point in time. But at the end of the day, we’re not the most important people, are we? The most important people are the real Ontarians out there, the ones working hard, the ones who get up at 5 a.m. every morning whether they want to or not, whether it’s cold and blizzard outside, whether they’ve been up all night with a sick kid; the ones who get up at 5 in the morning and go out to that work site and work, not because they like their jobs, not because they get public acclaim for doing their jobs, not because they get the occasional ego hit of being able to have their mother or their sister or one of their kids or even their spouse clip out a newspaper clipping, but because that’s what you’ve got to do to feed your kids, pay the mortgage and make the contribution that you’ve got to make, hoping that your kids have a better life than you did.

**1020**

While I consider it laudable to want to acknowledge the leadership of Premiers in the province, I fear that in the course of focusing on this list of very white, very male, very Anglo types—and I’ve got nothing against white male Anglo types, but the fact and the reality is that in the course of doing so, I believe that we can, perhaps if only through inadvertence, overlook the contribution of the people who weren’t politically connected, the people who weren’t rich, the people who weren’t powerful, the people who didn’t have the inside track in a political party to win that party’s leadership, and then to become, oh, the Premier of Ontario.

Gosh, if we’re going to recognize the gravesites of these people, let’s also then record some of the stuff that went on under the premiership of people like Mitch Hepburn, who sent armed troops into Crowland to force sanitation workers on strike back into the sewer ditches. “Hepburn’s hussars,” they were called. If we’re going to remember Mitch Hepburn and his premiership, if we’re going to mark his gravesite with special marking, let’s remember what Mitch Hepburn did with his OPP to working women and men in the city of Welland and Crowland when they tried to strike for a few cents an hour more wages when their kids were going hungry and literally barefoot. Where’s the monument to those workers who were forced at gunpoint back into the ditches that they were digging for sewers in Crowland?

I appreciate the member telling me that there’s going to be a recorded vote. Notwithstanding that everybody’s



going to support the bill, what's going to happen is somebody is going to make a phony "no" vote so a recorded vote can be forced. For the life of me, I don't know why. The bill is going to pass. Everybody supports the bill because it's innocuous. It's the sort of thing that the Ministry of Culture should be doing in any event without the legislation. And yes, we have a new Minister of Culture, don't we, Mr. Marchese?

**Mr. Rosario Marchese (Trinity-Spadina):** Yes, we do.

**Mr. Kormos:** I'm sure that she will tackle this issue first and foremost as a priority.

**Mr. Marchese:** Gravitas.

**Mr. Kormos:** Yes. I don't know whether Mr. Smitherman considers her a person of gravitas or not.

I have no doubt. But do you want to know what? Notwithstanding the advanced notice of the author of this bill that there's going to be a recorded vote, which is going to be arrived at artificially by somebody making a phony contra vote on the voice vote and then standing five to rise, and notwithstanding that should there be a recorded vote on Bill 71, a bill with which I've had some significant involvement during its life under previous authors, I regret I'm going to be busy for this vote. I'm going to be reflecting on working women and men whose gravesites are not only unmarked and unacknowledged but, far too often, simply paved over.

**Mr. Khalil Ramal (London-Fanshawe):** I guess I have the honour and privilege again to stand up and speak about this important subject matter. I want to congratulate the member from Stormont-Dundas-Charlottenburgh for his dedication and hard work in bringing to this House, on many different times and many different occasions, an important issue. Today we are discussing a very important issue, to preserve the graveyards of great Premiers who have served this great province for many different years.

The member from Niagara Centre was talking about injured workers. On this occasion, I'd like to inform you that I brought in a bill last week to install some kind of memorial to commemorate the people who died at work. Hopefully, we'll get support from all the members of this House. I think it's important to remember every one in this great province, the hard-working men and women who give their time, their lives, their abilities and skills to build and continue building this great province.

**Mr. Lou Rinaldi (Northumberland):** Great people.

**Mr. Ramal:** Great people.

I think it's very important to remember the people who give their talent, their intelligence and their time, and who work hard to enhance the ability of this province on many different fronts—economically, socially, in education and in health—and give all their time to maintain our presence, not just on this side of this beautiful country but also on the global stage.

The member from Niagara Centre was talking about Mitchell Hepburn. He talked about some incidents that happened in the past, but he forgot about the great job he did. He forgot about his ability to put this province very

ably on the economic stage. That Premier, who died in 1953 and was buried in St. Thomas, which is near to my riding, did a great job for the great province of Ontario. I think he should be remembered for his great work and he should be remembered by all the people who come after—to educate them about the great people who make a difference in our economy, who make a difference in our social situations, who make a difference in our lives.

Also, we're not going to forget our great Premier John Robarts, who everyone in this province remembers for his dedication and hard work in maintaining the ability of this province to continue to play a pivotal role in Canada and the whole world. John Robarts has been remembered on many different occasions and in many different places. Beside my house on the campus of Western, they built a special institute they call Robarts Research Institute to remember his dedication to science, education and research, because he strongly believed that the only way that Ontario can succeed and go into the next century is by investing money in research and innovation. That's why the city of London and the University of Western Ontario remember his job, remember his dedication and remember his investment in research and innovation and named one of the most important institutions in the city of London, the Robarts institute, after him, to tell people about his dedication and his investment in this field.

I think it's important to us to remember those who give their abilities, who make a difference, who work hard to enhance every element of our lives. I'll give an example when we're talking about Premiers. We talk about Premiers like our Premier Dalton McGuinty, who works very hard in every front: education, health care, infrastructure, social issues, diversity, multiculturalism. He wants to make Ontario one of the greatest provinces in the whole nation, because he believes our province is the engine, the heart of this beautiful country.

**1030**

Many Premiers came, many Premiers did their best regardless of their ideology or party affiliation. We don't care about that. We care about a person who gives his heart, all his or her ability to do what is best for this nation. Sometimes we don't agree on different directions, we don't agree on different issues, we don't agree on their philosophies, but there is no doubt in my mind that when they get elected to that job, they put life and families and all personal issues aside and give all to the public, all to the province of Ontario. I think for that they should be remembered. After they die, it should be recognized. Why do we have to be different from the federal government, which recognizes all the Prime Ministers who served and died in this country?

I believe strongly that the member from Stormont-Dundas-Charlottenburgh is doing a great job. He knows the value and importance of this issue, to keep their memorials, their graves as cultural centres, as places people can visit. Students and people from different nations can come to visit those sites and learn about those great Premiers who did a great job for our province.



I fully support this initiative and this bill. I want to ask all the people from different sides of the House to come forward and support this, because it's a great thing to do. I'm saying it without any bias or party affiliation. It should be every one of those who served, and their Premiership should be recognized. It's very important to involve many people and to encourage many people to recognize the great Premiers who serve us.

**Ms. Laurie Scott (Haliburton–Victoria–Brock):** I'm pleased to rise today to speak in support of Bill 25, An Act to preserve the gravesites of former premiers of Ontario, brought in by the member for Stormont–Dundas–Charlottenburgh. It would allow the Minister of Culture, “by means of flags of Ontario and of Canada, plaques, signs and other suitable markings” to “mark the gravesites of former premiers of Ontario.” Many Premiers have been mentioned, and all Premiers should be recognized, because they have all worked to improve the quality of life for us in Ontario.

I am fortunate to boast the home and resting place in my riding of one of the most distinguished and accomplished Premiers, Leslie Frost, who was Premier of Ontario from 1949 to 1961. He was one of the longest-serving and most popular Premiers of Ontario. I think he never held less than 72% of the seats in the Legislature, which has rarely been equalled today. His achievements were the Ontario hospital insurance program, provision of equal pay for women, and vast expansion of hospitals, schools and highways. I know we have the Frost campus of Fleming College in Lindsay named after him, and I'm hoping the Leslie M. Frost centre near Dorset will remain up and operational. It's in the government's hands now.

There's an excerpt from the book *Old Man Ontario*, which Leslie Frost was known as. It says, “Frost had always cultivated the image of unpretentious down to earth, small-town lawyer, epitomized by the remark he was said to have made at a federal provincial conference: ‘... I look at this matter from the standpoint of the barber chair in Lindsay.’” I have taken that advice and visit the barber shops and the hairdressing salons in Lindsay to get the pulse of Ontario.

He was a man who “was not a false image by any means. He lived comfortably but simply and without great wealth, his maximum salary as Premier being \$16,000 in addition to his stipend as an MPP. That his psyche was deeply rooted in the values, attitudes, and customs of non-urban central Ontario there could be no doubt.”

He was a small-town lawyer, and perhaps more than any 20th century Premier, prepared Ontario for the urbanization and economic growth that exploded in the 1950s and 1960s. “Over the period of [Frost's] premiership, hundreds of millions of dollars were poured into road building. The Macdonald–Cartier Freeway alone cost \$400 million, and \$220 million was spent on the Ontario section of the Trans-Canada Highway.” I bring that to your attention because the government announced it was sprinkling \$400 million across rural and northern Ontario for roads and bridges, and we're not sure if it is

actually going to be diverted to other areas. Using the inflation factor, that would be equivalent of what he spent—

*Interjection.*

**Ms. Scott:** It's not nasty, just a comparison—it would be \$2.75 billion today. So we just put that into context of what Leslie Frost did, building new highways. Many people scoffed at him at that time, building “highways to nowhere,” but today they are the pathway to Ontario's prosperous future that we all enjoy, and I think we should recognize that.

When Premier Frost was buried, “It was a short, simple service with no eulogy, as he had requested. When it was over, the casket, draped in Ontario's provincial flag on which Frost's medals lay upon a purple cushion, was carried to the hearse by members of the Queen's York Rangers....”

“Reaching the cemetery on the edge of town”—of Lindsay—“the hearse stopped near the freshly dug gravesite next to [his wife] Gertrude's. As a gusty breeze rustled the leaves of the great, still surviving elms, in a brief burial service the mortal remains of the Laird of Lindsay were committed to the earth beside the Scugog River, in his own corner of the old Ontario he had known and loved so well.”

I welcome the member from Stormont–Dundas–Charlottenburgh when he does visit Lindsay later this month.

**Mr. Marchese:** I want to say that I will be supporting this bill introduced by the member from Stormont–Dundas–Charlottenburgh because I think it's worthy of being supported. There are some who would say that perhaps the member should be talking about many other important issues that affect his community, such as the closing of Domtar. The closing of that mill is going to cause serious economic dislocation in his community. I believe that's going to be a matter of great debate in his riding, and I hope in his caucus; it's not before us. I know that there is no hospital in his area, and I'm sure a lot of people would say we should be talking about that. I know that farmers in his community are very worried about what's happening to them and their livelihood, but that's not before us. I know that the member—I hear him—is concerned about all of those things. At some point—

**Mr. Brownell:** Absolutely. I have been since I got here.

**Mr. Marchese:** He's reminding me that he's been talking about these things since he's been here. While we have no bill or resolution from the government that tells us how we're going to deal with any one of these things, I'm happy to hear that the member is talking about it on a regular basis. That should give some assurance to his constituents that he's fighting for them.

What we have before us is a bill that speaks to the preservation of gravesites of former Premiers of Ontario. I have no problem with that. I think we should be preserving their gravesites.

I have some sympathy for the argument made by the member from Niagara Centre, that is, that there are a whole lot of people in this society who work hard and are



never recognized for the challenges they face, and immigrants coming to this country face the greatest challenges that we have ever seen. Many in the last 10 to 15 years have come with two degrees and can't get the job they're looking for, and are working at two or three jobs to make ends meet. If you happen to live in Toronto, the challenges of trying to make ends meet are even greater. These people, in my view—and that's why I support some of the comments made by the member from Niagara Centre—are worthy of bringing up. While we mention the great ones, we often omit the hard work of those who are the little people who toil away in our society and make a great, great contribution.

So yes, Premiers should be remembered and their gravesites should be remembered because they played a great political role in our province, and that I respect. But I remind the member and his party that when I and my party tried to introduce changes to the heritage act, when we were talking about cemeteries and the need to preserve the over 5,000 we have, which could easily be endangered, as so many are and as two of them have been, Cooley/Hatt in Ancaster and St. Alban's Anglican Cemetery in Palgrave—these matters are still to be settled by the courts because the ministry in charge of their preservation, the Ministry of Consumer and Business Services, under which the Cemeteries Act falls, has not been protecting these very cemeteries that I know this member has spoken very passionately about in committee, because I've got his quote.

1040

I don't have the time to read his quote for the record, but he spoke passionately about his concern for cemeteries and said in committee that he would be working hard to convince his government to deal with some of the issues that I brought forth in committee, that my two colleagues brought forth in committee on a day that I wasn't able to be there. He was going to make sure that the matters connected to cemeteries were dealt with. Ms. Mossop said they're looking at changing the regulations under the Cemeteries Act. Mr. Brown, the president of this assembly, said that those matters could not be dealt with as we were dealing with the heritage act and that they would be dealt with in some future regulatory change of the Cemeteries Act.

We're still waiting. We're still waiting to hear from Mr. Brown, the member who now presides over this assembly. We're waiting for Ms. Mossop, the parliamentary assistant to that committee dealing with the heritage act. We're waiting, yes, for you, member for Stormont-Dundas-Charlottenburgh, with your passion for cemeteries, to lead the debate on preserving cemeteries, one that would help to make your bill a little bit stronger, one that speaks to the need to preserve cemeteries as part of our heritage.

As I support this bill, I urge the member who presents this bill and the other Liberal members who spoke in that committee when we were dealing with the heritage act, when we were talking about cemeteries, when the Liberal members in that committee said, "Oh, no, we can't make

any changes to the heritage act" simply because, some of them said, it was just too complicated—I want to ask them where they have been in this last year as they spoke about their desire to change the Cemeteries Act and the regulations that they said would deal with it versus the changes we were seeking that would make the protection of cemeteries a permanent feature, that would make the Ministry of Consumer and Business Services no longer the ministry in charge of them because they're unfit to govern cemeteries as they have given up on two cemeteries that are a matter before the courts, that they have been unwilling to protect and that are being torn down by development. I'm looking forward to seeing the Liberals protect our cemeteries in the way they want to support this bill.

**Mr. Levac:** Thank you very much for this opportunity to speak on the bill, which I'm going to do. But I am challenged by the members for Niagara Centre and Trinity-Spadina, and I accept the challenge, in terms of making sure that we're speaking about all things.

I think we have to acknowledge that we have two things to talk about. The first is multitasking. To assume that somebody is presenting a private member's bill and that nothing else is their focus is unfair and, quite frankly, is not correct in terms of this particular member from Stormont-Dundas-Charlottenburgh. He's a tireless champion of his riding and the issues that his riding is facing. I just want to put that on the record right away.

The second thing I want to put on the record is that this is private members' business. For those who are here visiting us, private members' business is supposed to be somewhat devoid of partisan politics in that we're supposed to be talking about the bill of the day and whether it is valid and whether it should be corrected or fixed or whatever and trying to stay focused on that.

Subsequent to that, I just have to make a comment that it's unfortunate that in some cases we turn this into a partisan spot when this is the opportunity for us not to do that. This is the opportunity for us to talk about the bills that are before us. Take that somewhere else, because there's enough of that going on in this place. Private members' business is a perfect opportunity for us, as colleagues in this place, to show a sign of respect that somebody's coming forward with an idea that needs to be discussed. I'm going to do that right now.

Of the 12 million Ontarians in this province, only 103 of us are elected to represent the entire wishes, dreams and aspirations of all our citizens. Hence, I accept the challenge that has been put before us by the two members from the NDP who talk about making sure that we honour all of those who worked so hard in the province of Ontario to be acknowledged. But I still think there's a significant point to be made. Of the many people who have sat as MPPs, only 24 people in 139 years have been asked to be the leaders of this province. I think it does deserve our attention. They earned the leadership of their respective parties. They earned the trust of the people of the province of Ontario. They earned the right to govern this place, with their



colleagues, to try to put things right for us and do the best they can. MPPs should take the time to honour the former Premiers. Memorializing their gravesites is just one way to do that, and I think that's appropriate.

I also want to talk for a couple of minutes about the two Premiers who came from the riding I now represent. Harry Nixon represented the centre of the universe, as Walter Gretzky says, of Brant North, North county and Brant, first elected in 1919 as a candidate for the United Farmers of Ontario.

The wish list that somebody up here who is privileged gets to run our province is not true. In this House today we have people who come from all walks of life, who have got their hands torn up from the work they've done, and they do represent people from all walks of life. I look forward to the day when ethnic and multicultural people and our first female Premier have their names immortalized as well. I look forward to that in a positive way.

Harry Nixon served in cabinet and became leader and Premier in 1943. He died in 1961. His son, Robert Nixon, was also the leader of the Liberal Party, and his daughter, Jane Stewart, was MP for 13 years in the riding of Brant.

Arthur Sturgis Hardy was born in Mount Pleasant, another area in my riding. He was the fourth Premier of Ontario. He retired from politics in 1899. He represented Brant South. One thing I want to bring us: He was the commissioner when Algonquin park was created in 1889.

I just want to say that nobody has a monopoly on passion in this place. Nobody has a monopoly on all the ideas. I think this is a good one that deserves support. I thank the member for bringing it forward, and I will be supporting this bill in recognition of the great Premiers we've had in this province.

**Mr. Robert W. Runciman (Leeds-Grenville):** I have a lot of respect and some affection for the member who just spoke on behalf of the government, but I have to strongly disagree with his comments. It's rather ironic, given the history of his party in opposition for 13 years and their utilization of private members' hour for, I would suggest some might clearly say, partisan purposes. Now that they're on the government benches, to be offended by some comments that could be construed as partisan is passing strange, to say the least.

I think I'm speaking on behalf of our caucus. We certainly don't have any difficulty with respect to the initiative that we're discussing today in honouring past Premiers of this province. There certainly has been a very limited number of individuals honoured with that great responsibility, and I think we will be giving it our support.

The member for Brant can construe this as partisan if he wishes. I can't argue with him on that; he's going to have a subjective interpretation. As private members, we have one, maybe two, opportunities during the life of a Parliament to present initiatives before this Legislature. Some people are unlucky enough in these lotteries to not ever get an opportunity within four years. Most of us, with some luck, get one or two. Although this is a laudable initiative, I think it could have been done, as a government member, through other channels.

My concern, as someone who also represents eastern Ontario, like the member, is the many challenges that eastern Ontario is facing, especially in the manufacturing sector. In my own riding, we've lost a significant number of manufacturing jobs. We just had another downsizing announced this past week. I know that in the member's own riding, he has had some very significant job losses, with Domtar the most significant. I think they closed their doors just this week as well, in terms of final closing. I would rather discuss that kind of issue, but I know and I do appreciate, having been a government backbencher and a government minister, that it's sometimes difficult to get approval for those when you go to caucus, if it's something where you're perhaps providing the opposition with some fodder to be critical of initiatives or lack of initiatives by the government of the day.

**1050**

It may be difficult for a private member, a government member, to get that past his colleagues or past the minister who's responsible for those kinds of initiatives. In terms of economic well-being, I would suggest that it's either the finance minister or the Minister of Economic Development and Trade. Obviously, the minister and other members would suggest that it would be giving me an opportunity to go on in a critical way, but I don't want it to be seen as criticism. I want it to be seen as recognition of some very serious challenges we're facing in the manufacturing sector across the province: 80,000 jobs lost last year, and projections of that number being equalled again this year. If you talk to people in the sector, they're not very confident about the future.

I mentioned Nitrochem in my riding. I've mentioned Hathaway closing, where Hathaway shirts started in Canada, and Mahle in Gananoque. These are smaller, surrounded by rural parts of the province. They're suffering devastating blows.

I see my friend from Northumberland here. The World's Finest Chocolate factory—

**Mr. Rinaldi:** They're back in business.

**Mr. Runciman:** He's telling me that apparently it's back in business. That's great news, because I know they were talking about transferring to Chicago. Whether that transfer has happened—if it hasn't happened, that's wonderful news.

But I know there are a host of areas. We talked about Nestlé in Chesterville: 300 jobs. There is a very small community, surrounded by agricultural and rural uses. That is what's happening, certainly in eastern Ontario. Outside of Ottawa, outside of perhaps Kingston, the two big urban areas, there are a lot of people suffering, a lot of people in really serious difficulty.

I'm sure the member for Cornwall, Stormont and Charlottenburgh appreciates that. I just regret that we are not talking about that. Hopefully, in a couple of weeks there will be a resolution before the House calling for the creation of an eastern Ontario secretariat lodged in the Ministry of Economic Development and Trade. I hope that all the eastern Ontario members will be present and talk about the challenges. Certainly, they can talk about



the positive initiatives of the government, that's to be expected, but we can also talk about the challenges. Hopefully they will all be here to support that initiative and then press their colleagues on the front bench, especially the Premier, another eastern Ontario representative, to ensure that the will of the Legislature, if indeed it is the will of the Legislature, is adopted and accepted by the government and that they move on it.

That's essentially what I want to say about this. The points made earlier with respect to the resolution or motion before us today related to preserving the gravesites of former Premiers, which is especially heartwarming for me, given that the Premiers of the province, for most of our lifetimes, have been Progressive Conservatives. So it's nice to see that recognition.

I don't know if it's been mentioned before or not, but we have the son of a former Premier as a member of this Legislature. I had the good fortune to serve with Frank Miller. Frank Miller gave me my opportunity to go into cabinet in 1985, when he became the Premier, as the Minister of Government Services. I've known a number of Premiers over my span of 25 years in this place, and I have to say that I liked them all, regardless of their political stripe, all good people, all fine people wanting to make a contribution. But Frank Miller was an exceptional guy, a truly warm person, to those of us who knew him. It's regrettable that he didn't have a longer opportunity to allow the people of Ontario to get to appreciate the Frank Miller that those of us who served with him knew and what a fine gentleman he was.

We'll be supporting this. It's a good initiative. I just think perhaps it could have been handled in a different manner.

**Mr. Lorenzo Berardinetti (Scarborough Southwest):** It's a pleasure to have an opportunity to say a few words on this bill today. I wanted to also congratulate you, Mr. Speaker, on your fine attire today. I think it's different and quite special to see the Speaker dressed in that attire.

I also wanted to congratulate the member from Stormont-Dundas-Charlottenburgh for bringing forward Bill 25 today, An Act to preserve the gravesites of former premiers of Ontario. What this is doing, in essence, is basically mirroring what already exists at the national level. I have with me a copy of the national program for the gravesites of Canadian Prime Ministers. This is something that Parks Canada has done at the federal level, recognizing the gravesites of Canadian Prime Ministers. I think it's appropriate and fitting that we do the same thing for the Premiers of Ontario.

There are a number of gravesites; they're pointed out in the bill today, if one looks at schedule 1, all the way from Premier John Sandfield Macdonald, our first Premier, who is buried at St. Andrews West Cemetery in Cornwall, which is in the riding of my seatmate beside me here, the member from Stormont-Dundas-Charlottenburgh, all the way through to Frank Miller, who is buried at Lakeview Cemetery in Gravenhurst.

In my lifetime, I have seen Frank Miller, and I would echo the sentiments quite strongly made by the member from Leeds-Grenville. He was very likable, affable, and

a very competent Premier. It reminds me of when I was watching television a few months ago and one of the stations was running an old newscast dating back to the mid-1980s or so or around that time period. Frank Miller was Premier at the time. It was nice to see him on television again and to recall him. It's important that we recognize individuals like him and his predecessors who were in the position of being Premier of this province.

When you travel abroad to other countries—I've travelled throughout Europe and elsewhere—they go to great lengths to recognize their political, historical and literary figures. One need just walk into Westminster Abbey in London, or into the Pantheon in Rome or some of the locations in Paris, France, where writers and sculptors, as well as politicians, are recognized. This is part of creating culture and recognizing that culture.

I think my seatmate, Mr. Brownell, has brought forward an excellent bill. It's the first step towards bringing into effect a program here in Ontario to recognize the gravesites. I stand today in full support. I know he will be asking for a recorded vote today. I think it's important that we support that bill and move forward in the right direction to get this made into law.

**The Acting Speaker:** The member for Stormont-Dundas-Charlottenburgh has two minutes to reply.

**Mr. Brownell:** First, I would like to thank all those who spoke in support of the bill today. I'd like to thank the members from Parry Sound-Muskoka, Niagara Centre, London-Fanshawe, Haliburton-Victoria-Brock, Trinity-Spadina, Brant, Leeds-Grenville and Scarborough Southwest.

This debate this morning centres on the Premiers of our province and the recognition that they deserve at burial sites throughout this province. Being in the Legislature this morning and welcoming Marjorie Stewart from the Ontario Genealogical Society and Rob Levery from the Ontario Historical Society, it's a great honour for me to be here speaking on this bill with them sitting in the gallery. I met with both these individuals and indicated to them my strong support for all resting places, all gravesites, all burial locations in this riding. I've spoke of that many times.

**1100**

It was back in grade 12 that I took out my first historical society membership, the Stormont, Dundas and Glengarry Historical Society, and it was to work as hard as I could in my riding for history and heritage. One thing that always bothered me was traveling through the community of St. Andrews West—and my colleague from Scarborough Southwest alluded to John Sandfield Macdonald and St. Andrews West—passing by his gravesite there and seeing so little recognition—a beautiful granite monument but so little recognition. I think the least we could do is to put an Ontario flag to fly over his gravesite. That's really what got me encouraged to do this. I certainly had support from the Honourable Steve Peters. That's why I brought this forward, and I appreciate all the support I received in here this morning. Thank you very much.



HEART DEFIBRILLATOR USE  
CIVIL LIABILITY ACT, 2006

LOI DE 2006 SUR LA RESPONSABILITÉ  
CIVILE DÉCOULANT DE L'USAGE  
DE DÉFIBRILLATEURS CARDIAQUES

Mr. Crozier moved second reading of the following bill:

Bill 71, An Act to promote the use of automated external heart defibrillators / Projet de loi 71, Loi visant à promouvoir l'usage de défibrillateurs cardiaques externes automatisés.

**The Acting Speaker (Mr. Ted Arnott):** Pursuant to standing order 96, the member has 10 minutes to make his presentation. I recognize the member for Essex..

**Mr. Bruce Crozier (Essex):** Thank you, Speaker, for allowing me the time, as you sit in the chair this morning, to debate this bill. You're decked out in great splendour. I know that next week my frock coat is going to look a little shabby next to your dress today. It looks great. Being an individual with the name like Bruce and a name like Crozier, which are both Scottish, I appreciate that very much.

I am here today to ask my colleagues' support of Bill 71, An Act to promote the use of automated external heart defibrillators. It's a very brief bill: It amounts to literally about one page. Though it is brief in its content, the reach of this bill will go all the way across the province. We're always concerned about the health and the safety of our citizens in Ontario, and I suggest that this bill will be a major step in that direction.

I just want to take you back a little way that some of us will relate to, back to November 21, 2005, a hockey game in Detroit when a well-known, young, healthy athlete by the name of Jiri Fischer—

**Mr. Jean-Marc Lalonde (Glengarry—Prescott—Russell):** One of the former hockey players—

**Mr. Crozier:** One of the former hockey players of the Ottawa 67s?

**Mr. Lalonde:** The Olympics.

**Mr. Crozier:** Oh, there we go, the Olympics, from my friend Jean-Marc Lalonde.

Jiri Fischer, as I said, was a young, healthy athlete and suffered a cardiac arrest during the hockey game. Now, one would expect that in a place like a professional surrounding they would have all the medical devices needed to treat their players under most conditions. And in this case, in fact, they did have a heart defibrillator. It was used on Jiri Fischer, and I don't think there's any doubt in anyone's mind that it was part of what resulted in saving his life. Wayne Gretzky, for example, said that currently AEDs, or automatic external defibrillator monitors, are not mandatory in most sport venues. Hockey legend Wayne Gretzky said that he would like to see that change. If it can happen to anyone any time, the example of what happened to Jiri Fischer is one of those cases. But he recognized that not only do we need them in arenas but perhaps in all places where the public has access—public buildings or private buildings where the

public has access—and that for that matter, they should be placed in the workplace.

I give you another example that occurred in my own riding of Essex, where the headline read, in March of this year, "Father Owes His Life to Defib in His Kids' Hands." What happened was, "Nick Stoyshin is alive today because his heart attack came with son Lance and daughter Nicole ... at his side almost immediately with the defibrillator the family company had purchased four years ago, but never used—until now."

I have with me today in the members' gallery Wayne Currie, who is the coordinator of the city of Windsor's public access defibrillator program. Wayne works out in the county as well and, in some instances, even into Chatham-Kent. Wayne tells me that the owner of Essex Linen, Nick Stoyshin, came to them about four years ago and said they would like to install one of these defibrillators in the workplace. This wasn't an inexpensive outlay; it was between \$5,000 and \$6,000. Their firm employs about 30 employees, I understand, so it's a small firm. But they'd heard about the defibrillator program in our area headed by Wayne and others and wanted one installed in their workplace. And, lo and behold, it was the owner of the business who was saved in this instance.

There has been a great deal of support across Ontario for the installation of these defibrillators in public places. The Heart and Stroke Foundation is one of the great supporters of this. Toronto EMS and other EMS services have been involved. We have the support of firefighters across the province. They know from experience that these defibrillators can save lives.

In fact, as I say, much of the groundwork has been done in the Windsor-Essex area. In 1992, Dr. J. C. Fedoruk did a research paper, Locations of Cardiac Arrest: Affirmation for Community Public Access Defibrillation (PAD) Program. It might be interesting for you to know that in this research paper almost 33% of sudden cardiac arrest happen outdoors, on the highway, streets and sidewalks. I suggest to you, many of these places would be close to public buildings, close to private companies where access to a defibrillator would go a long way to save lives.

Not surprisingly—and I give you this information in a serious way—the next highest area of incidence of sudden cardiac arrest, 10%, occurred at casino locations. I don't know what that says about our casino industry; I don't frequent them, so I'm not sure. But the point is that there are identified locations where the occurrence seems to be higher than others. Another one that's maybe more surprising is that about 6% of sudden cardiac arrests occur in medical offices or clinics. We've heard that you can walk out of your annual examination and have a heart attack literally outside the door, and this would indicate that that in fact does happen. But the point here is that the more we can do to have these defibrillators available throughout Ontario, the better it is.

The intent of my bill would be to take away that fear of liability when it comes to the use or the placing of defibrillators. We have been told, notwithstanding the



fact that they are being used throughout the province, that one of the barriers to placing these defibrillators is the liability that may be attached to one if you use one. So what we want to do is ensure that users of defibrillators and the owners and operators of premises on which they're installed are protected from civil liability. If we can do that and we can encourage the placement of these defibrillators in public places, in places where the public has access, in workplaces, I have been assured by those who support this bill—as I said, amongst them Heart and Stroke, emergency services and others—that it will go a long way toward the use of these.

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We're going to have a media conference after this is passed today—and I hope that you help me pass it; I'm asking for your support—that will demonstrate this device. They're very hi-tech. They can be used by anyone: Not only do they give verbal instructions but, in some cases, the defibrillators work so automatically that they simply tell you to stand back once they've been placed and the defibrillators themselves carry on.

To my colleagues, I ask for your consideration and support of this bill. I would hope that we take that step to having even more defibrillators placed throughout the province of Ontario so that lives may be saved.

**Ms. Laurie Scott (Haliburton–Victoria–Brock):** I'm pleased to rise today in support of Bill 71, An Act to promote the use of automated external heart defibrillators, and commend the member opposite for bringing forward such a worthwhile bill.

I suggested that the individual should be protected from civil liability on the basis that the bill is brought forward. I think there have been many instances mentioned in which an automated external heart defibrillator would have saved lives. I certainly know from my personal experience in nursing the great leaps in technological advances that have taken place. With a quick look, you just put the pads on and the machine interprets the cardiac rhythm, the heart's rhythm, and either gives you instructions verbally or delivers the shock, the jolts of energy, itself. I know from many ambulance trips with patients from hospitals to hospitals that we've certainly had to use them. I see members of EMS up in the gallery, and they can certainly relate to that.

When you have EMS and firefighters supporting—and I know some of the golf courses in my area have looked into the use of these. We have here in the Legislature I think three defibrillator machines. I'm a little concerned that there's one over in the east lobby but we don't have one in the west lobby, but I guess we can run across quickly and get the machines when needed.

Why instances occur in doctors' offices—

**Mr. Crozier:** It's in the middle.

**Ms. Scott:** It's in the middle? Okay. That's fair. It's good to know where it is. I sometimes can't lose my nursing background, and in many instances have left the podium and the microphone when someone has passed out in the crowd. My first reflex is to run and take a pulse. So certainly the use of these machines would be

valuable and I commend the member for bringing that forward.

There are an estimated 40,000 incidents of cardiac arrest each year in Canada, most of which take place outside of hospital settings. The odds of survival of an out-of-hospital arrest are a dismal 5%. With the aging population, the incidence of heart attacks only increases. With the wave of Canadian baby boomers now turning 60, we'll be the first generation actually to turn back the clock on experiencing a decline in the quality of life compared to 10 years ago. The rate of obesity in boomers has soared by nearly 60%. A whopping 52% are inactive, yet 80% still think they enjoy a longer life expectancy than previous generations.

The Heart and Stroke Foundation spokesperson and cardiologist was quoted as saying, "This year, every day almost 1,000 Canadian baby boomers will turn 60, entering the prime age for heart disease and stroke.... Rising obesity rates and inactivity among boomers could threaten years of steady progress towards better heart health." These are disturbing statistics. So, for sure heart attacks and heart disease are going to become more frequent.

On the website for the Heart and Stroke Foundation, there's the story of Denise Déziel, a non-smoker who ate a healthy, low-fat diet and participated in many sports, with no family history of cardiovascular disease. In December 2001, she ended up having a heart attack at home. Luckily, she survived, got treated quickly, went in for an angioplasty and is back to full health. You don't think it could happen to people and it does happen.

The more we can prepare, in society and public places, with defibrillator machines that are available—we've done a great job in training people with CPR. There's never a place I've gone to where there isn't someone in the crowd who knows CPR. I think that with the use of automatic defibrillators—I know many of my municipal councils are looking to add more of the external defibrillators in their areas, especially in rural areas where ambulances just aren't around the corner and there are long distances to drive. As I mentioned, golf courses, municipal buildings and other public buildings have defibrillators in there. They can make the difference in saving someone's life.

I congratulate the member for the worthwhile initiative and wish him all the success. You have my support for the bill.

**Ms. Shelley Martel (Nickel Belt):** I'm pleased to join in the debate. I want to say at the outset that I support Bill 71 and the effort by the member from Essex to deal with the issue of liability.

I want to take a kind of different tack, because it's not clear to me that once the issue of liability is resolved, we are going to see a significant increase in defibrillators in public places. I regret that; I want to say that at the outset because I am a proponent and a supporter of having automatic external defibrillators in public places.

I want to relate to you some information we have been dealing with in the public accounts committee most



recently that leads me to believe there is not general support within certain circles right now for the strategic placement of defibrillators. I worry that even if this bill gets passed, it's not going to result in an increase of defibrillators in public places as much as I would wish and as I think the member would wish. Let me just give you a little bit of background of what's been happening in the public accounts committee and what the government's response has been to this issue, and my concern that it's not a very positive response at all, unfortunately.

The auditor in his most recent report, 2005, in the section on land ambulance services, actually spoke to the issue of defibrillators. I'm going to read into the record some of his report and then the ministry response. The auditor, in the section dealing with response times in particular, said the following:

"Prompt responses are critical to the survival and well-being of patients with certain types of injuries or illnesses, particularly those experiencing cardiac arrest. In 1994, the ministry funded the Ontario Pre-hospital Advanced Life Support study (OPALS) to support evidence-based decision-making in emergency medical services planning. The eight-year study involved 21 communities and about 10,000 patients experiencing cardiac arrest. In addition, the study investigated the relative value of rapid access to emergency care, early cardiopulmonary resuscitation (CPR), rapid defibrillation, and interventions by advanced-care paramedics to the survival of individuals who had suffered an out-of-hospital cardiac arrest.

"In 2003, the OPALS researchers reported that according to their findings, a response time of six minutes from call receipt to on-scene arrival could have improved survival rates in the study communities by 3.6%, or 51 additional lives annually. As well, OPALS researchers cited a study on the use of public-access automatic external defibrillators in casinos, and noted a 74% survival rate when defibrillation began within three minutes of cardiac arrest.

"In 2004, the OPALS researchers reported that lives were saved through a combination of CPR by on-scene citizens and rapid defibrillation responses. In many places in Ontario, fire and police services co-operated with ambulance services in providing emergency responses to cardiac arrest patients and other emergencies, as they can often arrive before the ambulance. These response arrangements are voluntary and vary by municipality. As well, the OPALS research noted that the strategic placement of automatic external defibrillators in public locations, such as shopping malls, could be beneficial.

"In addition, the New England Journal of Medicine reported in 2004 that training and equipping volunteers to attempt early defibrillation within a structured response system could increase the number of survivors of cardiac arrest in public places and concluded that trained laypersons could use automatic external defibrillators safely and effectively. While the placement of defibrillators in all public places may not be reasonable given that OPALS researchers found that only about 15% of cardiac

arrests occur in public locations, the OPALS researchers nevertheless recommended the strategic placement of defibrillators in such public places as casinos." It was my understanding that since 1994, in fact, there have been defibrillators in casinos and that staff in those locations have been trained to use them

#### 1120

The point being made by the auditor was that there is more than enough evidence to show that effective use of defibrillators can really save lives or can really decrease the damage that is done. The auditor recommended to the Ministry of Health that the ministry "assess the costs and benefits of a fully coordinated emergency response system that includes strategically placed publicly accessible automatic external defibrillators." That was the recommendation to the Ministry of Health.

The ministry's response was the following: "On August 11, 2005, the Ontario health technology advisory committee ... requested that the medical advisory secretariat of the ministry conduct a health technology assessment and policy analysis of the various components of a coordinated emergency first-response system. This assessment includes response times and the use of automated external defibrillators ... to improve survival in the event of a cardiac arrest. The assessment will be reported back to OHTAC by mid-December. At the completion of this review, OHTAC will make recommendations to the deputy minister and the health-care system on the settings in which AEDs are cost effective. This is expected to assist in future planning for the distribution of AEDs in Ontario."

We know that the report was done by the medical advisory secretariat, and that report was released in December 2005. What concerns me about the report is that there doesn't seem to be a whole lot of support generally for the strategic location of defibrillators in public places. I just want to read some of the report.

The report says, "There are other delivery models for AEDs in casinos, sports arenas, and airports. The proportion of cardiac arrest at these sites out of the total cardiac arrests in Ontario is between 0.05% and 0.4%. Thus, an AED placed at these sites would not likely be used at all." Secondly, the "medical advisory secretariat examined the cost-effectiveness of providing AEDs in hospitals, office buildings, apartments/condominiums, and houses. The results suggested that deployment of AEDs in hospitals would be cost-effective in terms of cost per quality adjusted life-year gained. Conversely, deployment of AEDs in office buildings, apartments, and houses was not cost-effective."

The conclusion was that the OPALS study I referred to previously "appears cost-effective, and effectiveness can be further enhanced by training community volunteers to improve the bystander-initiated CPR rates. Deployment of AEDs in all public access areas and in houses and apartments is not cost-effective. Further research is needed to examine the benefit of in-home use of AEDs in patients at high risk of cardiac arrest." So that's not very positive in terms of what I support, which is more defibrillators in public places.



The second problem is that this medical advisory committee, as it was supposed to, made a recommendation to the Ontario health technology advisory committee, and that committee has released its recommendations in this regard. Again these recommendations aren't very positive either. They are as follows:

—"OHTAC endorses and supports the current policy of giving AEDs to EMS, firefighters and police." It would be my estimation that most of those services have defibrillators already.

—"OHTAC does not recommend the installation of AEDs in public buildings where the very low probability that an arrest would occur in these buildings offsets the benefits;

—"OHTAC supports the provision of AEDs in those areas of the hospital which are not readily accessible by the code blue team;

—"OHTAC supports the current initiative taken by some airlines to place AEDs on aircrafts and train flight attendants in CPR/AED use;

—"The use of AEDs in homes of 'high risk' individuals who do not have an ICD has not been studied. However, it is reasonable to recommend access to AEDs to these patients, in the context of a broader comprehensive response plan. To be effective, caregivers in these settings would need to be trained in CPR and AED use to ensure the value of having the AED available."

If this is the set of recommendations that has gone to the deputy minister, and we understand the deputy minister has the recommendations on his desk—this was confirmed in questions that I raised in public accounts about this issue on May 2, May 3, when we last sat in public accounts and dealt with this—if these are the recommendations that have gone forward, I don't see a lot of room to move in terms of convincing those who need to be convinced that we really do need and should have defibrillators in more public places.

I worry about that, because while I'm supportive of the bill, my concern is, even if the bill is passed, based on what I see in front of me in terms of recommendations that are floating around in government, we will not have any significant increase in defibrillators in strategic locations, especially in public places. It's why I wish that some folks would take a second look at the study that the member referred to already that was attached to the bill.

I appreciate that he gave that information to us, because it seems to me that the work that was done by the base hospital in Windsor, by Essex-Kent base hospital, in their study between January 1, 1994, to December 31, 2000, did clearly indicate very effective use of strategically located defibrillators. I don't pretend to understand the whole program that's in operation, but I do believe that there are defibrillators in public places. That's part of a plan that's been developed for some time, and part of the reason for this study was to determine whether or not some of these defibrillators could be even more strategically located in areas where the study showed there had been high incidence of cardiac arrest,

like casinos, also like doctors' offices, as the member already mentioned.

So what's clear in the conclusion that was reached—and I'm just searching for it in my papers—is the following: "This study suggests that specific locations within communities could benefit from AED placement. Planning for the placement of AEDs should be guided by templates/examples of high incidences of arrests. The findings have significant pre-hospital emergency cardiac care implications for communities that wish to improve their responses to out-of-hospital cardiac arrests." This is most key: "It is suggested that each community develop and implement a PAD program as part of a strategic plan to deal with" sudden cardiac arrest "and their subsequent effects on survival rates from" sudden cardiac arrest "in their respective community."

I would like to see the ministry move forward on that. I think it would be very important for each community to develop such a plan. I'm worried, though, as I say to the member from Essex, that might not be where we end up if these are the kinds of recommendations that sit on the deputy minister's desk right now.

I guess a further reason that I think we should be looking at this just goes back to an article that was in the paper recently and my most recent experience at a hockey tournament this weekend in the Ajax Community Centre. There was a defibrillator. It was well-marked, right in the main entrance, big red sign, arrows showing where it was for all to see so that any member of the public who would have to use it would know where it is. That is not my experience in most arenas, however, and I've been in a lot of them, because my two kids play a lot of hockey.

The one that touched me the most in terms of why we should be doing this at least in arenas, if not in other public places, had to do with an article I think we all saw in the *Toronto Star*, March 13, 2006—a really heart-wrenching article about a young boy from Barrie, Chase McEachern, who developed a very serious heart condition, who was an absolutely excellent young hockey player who would have been a hockey star, who, having developed this condition, which was very serious indeed, ended up having to stop playing hockey at the request of his physicians, and ended up actually collapsing in his gym class on February 9 while doing warm-ups. While the gym teacher performed CPR and while they air-lifted him to London Sick Kids hospital, where he was on a respirator, the brain damage was already too severe. Six days later, his parents had to make a decision to take him off the respirator, and he subsequently died minutes later.

**1130**

Before he lapsed into a coma, he had written a letter to Don Cherry as a result of the hockey incident that the member from Essex has already referred to. He wrote that letter to Don Cherry and asked him to do whatever he could to make sure that defibrillators were mandatory in hockey arenas and schools everywhere.

He went on to say, "After seeing Jiri Fischer collapse and Mario Lemieux retire because of irregular heart rates



like mine, I want people to know these heart conditions also affect children.

"February is heart month and it would be a great time to promote defibrillators. Nowadays, defibrillators are easy to operate and should be available if needed especially in hockey arenas.

"Please listen to my letter. Your support would really help."

I know this cause has been taken up by Don Cherry. I know his parents are now pursuing this and have started a foundation in order to try and make his last dream a reality.

If nothing else, even in hockey arenas, this is absolutely necessary. But I think the government should take a look at the Windsor study and the Windsor recommendation, and start to pursue a strategy where every community will have a plan of where defibrillators can be placed in public locations, so we can serve people when they need to be served as soon as possible.

**Ms. Monique M. Smith (Nipissing):** I'm very pleased to rise today in support of An Act to promote the use of automated external heart defibrillators. I think this debate in the House today is very important. I certainly have been impacted by the effects of heart attacks and heart conditions, and I recognize the importance of defibrillators. I recognize the importance of the new technology that we've been able to develop in this country and in our province, which we can now make available and can now save lives.

I know it's very important, in the case of a heart attack, that we address the situation very quickly, especially in the first 10 minutes. My father suffered a heart attack in 1971 in this House, in this Legislature, in this building. As members of this Legislature know, the building is very close to a number of hospitals. However, it took half an hour to get an ambulance to the Legislature, to the precinct. Had we had a defibrillator at that time, my father's health would have been a very different story than what it was. So I'm very pleased that we have one here in the Legislature today and that we have them in the precinct, and that they are available for the safety of the members as well as the staff.

We also have a family friend who had a heart attack while playing bridge one day. If only for the fact that there was a retired nurse present who was able to help—as the member for Peterborough was talking about being called to help—he was fortunate and was saved, and is living a healthy life today. But as we've noted, the first 10 minutes are so important.

I want to highlight today some of the work that's being done in my community towards the introduction of external defibrillators in our various public arenas and sports complexes. We have developed a lifeline public access defibrillator program. It's a locally grown program that has created a fundraising campaign to raise funds to put these lifeline defibrillators in eight community areas. They are being placed in high-traffic areas. They are presently already in the Pete Palangio Arena as well as Memorial Gardens, which is our main arena in

town, and we're working towards getting one in the YMCA and other arenas. This partnership has developed through local businesses: our Kinsmen Club, which has contributed \$10,000, and the local Tim Hortons through their Smile Cookie campaign, which was held last fall. They decided to contribute the funds raised locally to the defibrillator program.

As well, in Powassan, which is a smaller community in my riding, we had an incident a few years ago at the Highview Golf Course, which had purchased its own defibrillator. It was put to use on one of the golfers who was in crisis, and who was saved because it was there and was used. The Powassan old-timers hockey league has donated \$1,000 towards putting one into the Powassan arena. The Powassan town council has also contributed towards that purchase.

In South River-Machar and in Sundridge, we have local businesses led by Dr. Weaver, a local dentist. Dr. Weaver placed a defibrillator in his office. As he was becoming educated on its use and the necessity to have one, he decided that it should be a community-wide project and has led his community in purchasing defibrillators for the South River-Machar arena as well as the Sundridge arena.

As members of this Legislature know, the Heart and Stroke Foundation is doing some tremendous work in this area. They advise us that 35,000 to 40,000 Canadians die each year from sudden cardiac arrest. I think it's so important that we do everything we can to assist people who are suffering from these health issues and from these crises. Whatever we can do as a Legislature to enable the use of this equipment and to assist in saving lives I think is incredibly important. I want to congratulate the member from Essex for bringing forward this piece of legislation. I think that good Samaritans who take the time and use the equipment that's available to save lives have to be protected. While we have the technology and we have this equipment, we have to make sure that people are aware of the equipment, that they know how to use it and that they are protected when they take the time to use it.

I want to commend the member. I lend to my support to this piece of legislation. I've been touched by these issues personally, and I know many in this House have as well. I think that it's commendable that we move forward with this piece of legislation.

**Mr. Pat Hoy (Chatham-Kent Essex):** I'm pleased to rise and join in the debate on a bill presented by my colleague Mr. Crozier, member for Essex: Bill 71, An Act to promote the use of automated external heart defibrillators, commonly known as AEDs. First of all, let me say that I certainly support this piece of legislation. It wants to remove liability for those who may use one of these AEDs and remove civil liability from establishments or workplaces where they might be available to use.

It is amazing, the technology that has entered into all of our lives. This is a piece of technology, these AEDs, that can save lives and return people to a healthy lifestyle



in many cases. I suspect that most people who have turned to use an AED in these serious situations do it almost spontaneously, without thought except to save a life. What we need to do is ensure to the public that if they do use one of these apparatuses, the liability is going to be removed. Of course, the bill talks about wilful recklessness etc., but in most cases people here are trying to save lives, first and foremost.

To the availability: If liability is removed in earnest cases, then I can see the proliferation of these AEDs around the countryside. I'm from a rural riding, and it would be very appropriate to have these in many facilities, workplaces—arenas have been mentioned—and other places where the public gathers. For me, it seems that if these AEDs would provide a safety feature for those in arenas, it only extends, in my mind, that they should be in every public building. If it's good for an arena, if it's good here for Queen's Park, it should be everywhere where people gather in large numbers.

Although 6,500 people die of sudden cardiac arrest in Ontario, many more are saved through the use of AEDs. I want to quote from a Chatham Daily News article where a gentleman was talking about these particular systems. He suggested that they'd be in locked cabinets similar to those of fire extinguishers, equipped with an alarm bell, so that if someone were to take one and use it in a frivolous manner, an alarm would go off. For those who may not be trained or be unqualified persons, "the devices come with both written and audible instructions.

"There's pictures on it, and it actually talks to you and tells you what to do next."

"The devices also come with built-in safety precautions, including software that checks for a pulse so that the device is not used on someone who doesn't need it." It seems to me that persons with training, of course, could use these AEDs; and those without training, if they follow what seems to be fairly simple instructions and also safeguard that it would not activate in certain situations. We should see these in all public buildings and therefore remove the liability.

1140

I also want to quote from the Heart and Stroke Foundation: "More than 35,000 Canadian lives are lost each year due to cardiac arrest. Defibrillation improves survival rates by up to 30% if delivered in the first few minutes. With each passing minute, the probability of survival declines by 7% to 10%. Making defibrillators easily accessible has the potential to save thousands of lives." I think that's what the member is trying to achieve through this bill, in extenuating circumstances to everyone.

"An automated external defibrillator is a machine that analyzes and looks for shockable heart rhythms, advises the rescuer of the need ... and delivers that shock" if required. It's really quite an amazing device, in my mind, and I think we can all share in the usage of such.

Finally, I want to quote from a study that's been cited by others here today. "Survival is greater for individuals in public places that have access to on-site defibrillation

programs than it is for those places without such capabilities."

I commend the member from Essex, Mr. Crozier, for bringing this valuable piece of legislation forward, and I would urge all members to support it.

**Mr. Joseph N. Tascona (Barrie-Simcoe-Bradford):** I just want to speak on this bill. It's certainly a bill that has been well discussed today so far. But let's be clear with the facts in terms of defibrillation.

Defibrillation is currently regulated as a controlled act under the Regulated Health Professions Act. There is no legislation in the province of Ontario that requires the establishment of the so-called automated external defibrillation programs. A person who uses a defibrillator in an emergency, in my understanding from the research I have done already, would be covered under the Good Samaritan Act and they would only be liable with respect to acts of gross negligence. With respect to the use of defibrillation in this province, based on the research and the understanding that I have, under the Good Samaritan Act it's already covered with respect to civil liability. It is also exempt from the Regulated Health Professions Act in terms of a person being able to use that.

What we have in front of us today—and I certainly recognize that the member from Essex in good faith has brought forth this Bill 71, essentially a stand-alone act to deal with defibrillation. But in my humble opinion, this bill isn't necessary at all. It's already covered under the Good Samaritan Act. What we should be doing is going further in making sure, as the member from Nickel Belt indicated, that defibrillation is a program in this province.

I would cite a bill introduced only for first reading in 2001 by the current Minister of Citizenship and Immigration. It was called Bill 51, the Portable Heart Defibrillator Act. In that act:

"The bill would require that portable heart defibrillators be made available and installed in significant public buildings, including privately owned buildings such as shopping centres, arenas and stadiums that have significant public access. The widespread installations would be completed within three years after the bill is enacted. The Ministry of Health and Long-Term Care in consultation with emergency health stakeholders is required to develop and issue training and education guidelines for the use of portable defibrillators within six months after the bill is enacted.

"The bill provides protection from civil liability for users of defibrillators and owners of premises on which the defibrillators are installed."

We have here a bill, Bill 71, which I will support, but I think it needs to be drastically amended to deal with the intent and purposes of what we want to accomplish in this province. In the United States, as of 2001 all 50 states had enacted AED legislation. These statutes typically include the following provisions: establish legislative intent that an automatic external defibrillator may be used by any person for the purpose of saving a life of another person in cardiac arrest; require that a state-licensed physician act as a medical supervisor of a



program; encourage or require responders, i.e. those who will be responsible for using defibrillators, to complete a nationally recognized training CPR-AED course for lay responders such as the American Heart Association's heart-saver AED course; require AED devices to be maintained and tested to manufacturer's standards; create a registry of the location of all defibrillators or notification of a local emergency medical authority; allow a Good Samaritan exemption from liability for any individual who renders emergency treatment with a defibrillator; and, finally, authorize a state agency to establish more detailed requirements for training and registration. That is what we need in this province. That is what this bill does not do and what needs to be amended, if we go to public hearings on this bill, to actually have it do something more than what is provided under the Good Samaritan Act, which is currently the law.

What I'm saying in essence is that (1) Bill 71 is already covered by the Good Samaritan Act with respect to protection for civil liability, and (2) there is no legislation in this province with respect to programs for installing automatic external defibrillators, and it's something we need to have and that was recognized in Bill 51 by the current Minister of Immigration and Citizenship, and I heartily propose we do that.

I'm not here for a debate with respect to specious legal arguments. I'm a lawyer and I know what I think is covered by this in the research we've looked at. We have to go broader with this legislation in terms of what's required. I think we have to look to the United States and the model they have put forth for dealing with this particular issue. Quite frankly, they have done something about it.

I am the member who represents the city of Barrie. The member from Nickel Belt did point out a very sad situation in my riding. Barrie's Chase McEachern, a young boy, died on February 15. He would have turned 12 on March 31 of this year. He was diagnosed with a rare heart condition last fall. As I said, he died on February 15, six days after passing out during gym class. He was an outstanding young man and he was also an outstanding young athlete. While on the waiting list for heart surgery, Chase had written a letter to Don Cherry to help promote the need for defibrillators in all schools and hockey arenas. He lapsed into a coma before he could send it, but a family friend got the letter to Mr. Cherry. I want to read this letter to the House today. This is the text of the letter sent to Hockey Night in Canada's Don Cherry by Chase McEachern:

"Dear Mr. Cherry:

"My name is Chase McEachern. I will be 12 years old March 13th. I live in Barrie but I play hockey in Vaughan. I am an assistant captain on the Vaughan Kings Minor Peewee Triple A team in the Greater Toronto Hockey League.

"With the support of my family and my coach, Mr. Darrell, I am writing this letter to you to bring attention to an important matter.

"I have recently been diagnosed with a heart condition by cardiologists at Toronto Sick Kids Hospital. I have an unusually high heart rate and an atrial flutter. I have been in and out of Sick Kids Hospital several times since October.

"When I wore the holter heart monitor during hockey practices, my heart rate spiked to over 300 beats per minute. Sometimes, I can feel my heart racing, but most times I don't feel anything. I was told by my cardiologist at Sick Kids that I cannot finish this hockey season because it is too dangerous. I am on heart medications and on a waiting list for heart surgery in the spring. I hope the surgery will be successful because I really want to play for Vaughan again next season.

"The point of my letter is to start a campaign to make defibrillators mandatory in hockey arenas and schools everywhere.

"After seeing Jiri Fischer collapse and Mario Lemieux retire because of irregular heart rates like mine, I want people to know these heart conditions also affect children.

"February is Heart Month and it would be a great time to promote defibrillators. Nowadays, defibrillators are easy to operate and should be available if needed especially in hockey arenas.

"Please listen to my letter. Your support would really help.

"Yours truly,

"Chase McEachern."

1150

I think anyone in this province who has either a child in hockey or is a grandparent with children in hockey recognizes the situation. This is a very sad situation, and I think there's a cause that should be picked up today. I put it out to Mr. Crozier today. He has started this with respect to protection and civil liability, which is important, because we need to have it to use, and we need people to use it, because they have to know that they're out there to protect people who do need it.

I will say that I support this bill, but I support the bill in the context of saying that we need to do more. We need to do a lot more with respect to dealing with this from a legal point of view. We need to deal with it from a public policy point of view to ensure that young people like Chase and other people who have gone before him are not forgotten.

I support the bill, but I urge the member to recognize that the Minister of Citizenship and Immigration, under Bill 51, went a lot further, and we can go a lot further in this House with respect to what we need to do.

I thank you, Mr. Speaker, and I'll give my time to the member from Oshawa.

**Mr. Dave Levac (Brant):** I want to take a moment in front of the bill to just make a couple of comments, first of all, on what we've heard today, and also on the designation of private members' business. No finer times do we see in this place than the actions and the activities that take place—this is my opinion, and I'll state clearly that this is my opinion—in private members' business,



when we shed our shackles of party membership for a moment and look at the issues that each member decides to bring in their ballot to the forefront.

I want to compliment and thank the member from Barrie-Simcoe-Bradford. He showed a side of himself today that I know has always been there. When those types of issues come to us as elected officials, it designates one more time what I've said since I've been elected in this place: We are the voice, the hearts, the wishes, the dreams and the aspirations of our constituency. We do have heartfelt feelings about our constituency, and that's a good thing. That's something we should all be very proud of. So I want to thank the member for his compassion, his understanding and his challenge for us to continue to look for good pieces of legislation.

The member from Nickel Belt offered us some suggestions that I believe were in the same vein, that ask us, in a challenging way but in a respectful way, to take a look at what governments can do to continue to push forward.

I myself offered a bill that this Legislature adopted and accepted called Sabrina's Law, regarding anaphylaxis, very much in the same vein as what we're talking about today, where people can die within a two- to three- to four-minute period. We need to have better practices in place. That was accepted, and it was a very touching testimony to those who have unfortunately died as a result of anaphylaxis.

So in front of the bill, I want to simply say very clearly that this is the right thing to do. I appreciate what both members said in terms of the right steps in the right direction. We can't help but use private members' business for those purposes. I said earlier, when speaking to the previous private member's bill, that I myself personally share the opinion that this is the place where we can collectively share a common good, share common visions and share common dreams, without the shackles. I don't want to say this in a negative way, but there are shackles on us in terms of what our parties want us to do and where we want to go, particularly those of the governing party. But I also respectfully suggest that it's an opportunity for us to show the rest of the people who watch this place and who sometimes only watch question period and get the false impression that we don't know how to get along—I think private members' business is a perfect opportunity for us to do that.

I've only got a couple of minutes left, but I want to now move into the preamble as to why I want to talk so positively about the member's bill, and that is, let's remember, in front of the defibs, in front of resuscitation techniques, we have those people, on a day-to-day basis, who put themselves forward as our emergency response teams. Those people—the firefighters, the paramedics, the police officers, the citizens who step forward who have been trained in first aid and Red Cross—those people put themselves out there on a regular basis. We admire you; we thank you; we are grateful. You are true professionals who do that day-to-day work. The training

of what is happening now, this evolution we're going through, is one of those things we need to catch up with.

I want to take some of the comments that have been made to say, remember, this is a step-by-step process, an evolution, and here is one more. I want to say to the member, thank you very much, Mr. Crozier, for stepping forward and acknowledging that this is another piece of the puzzle that needs to be continually put together to offer us the wonderful solution we have of being able to save a life. That's not spoken of enough, being able to put something in place so that it becomes commonplace to save a life because we're doing the right thing.

I want to compliment him for doing that, and obviously, for those people who have had the unfortunate experience of suffering through those tragedies, also celebrating those triumphs of beating death because we were there and prepared. That's what this is going to do. It's going to make us prepared and give us an opportunity to save lives.

The longitudinal studies have been done. The locations where these should be have been done. The proper protections are what we're looking for now to ensure that every angle is cut off from liability. I want to compliment all the members for their participation on this bill.

I want to thank you, Speaker, for this opportunity. I will make a comment about your knees; they're very attractive in your tartan today.

**Mr. Jerry J. Ouellette (Oshawa):** In the time I have, I'd like to thank the member from Essex on bringing the issue forward. As a hockey fan and coach, I certainly see these things. Whether it's in the Oshawa Civic Auditorium or some of the other rinks, it's great to see. The one thing I would ask, possibly, is that the government look at a program that potentially could aid in locating defibrillators, whether it's Scout camps—because I know that locally we have about 36,000 Scouts going through—or in other areas as well, whether it's northern or rural Ontario. Sometimes, it's very expensive to place these things, so not only the locations and a program to assist in putting defibrillators in the locations, but also in the training to make sure it happens for them.

We will be supporting the member. I think it's a good cause. Anything we can do to move it forward, we'll certainly be there for you.

**The Acting Speaker:** The member for Essex has two minutes to reply.

**Mr. Crozier:** I want to thank the members from Haliburton-Victoria-Brock, Nickel Belt, Nipissing, Chatham-Kent-Essex, Barrie-Simcoe-Bradford, Brant and Oshawa for their comments.

I want to recognize today that here supporting me is Morty Henkle, executive director of the Mikey Network, which is a charity working to create public awareness and provide education about heart defibrillators. Justin Brown is manager of government relations for the Heart and Stroke Foundation, and Kathy Hall is an Ontario government employee who was saved by the AED in the Macdonald Block. Kathy, thank you for being with us today. I have mentioned Wayne Currie, as well as several

manufacturer representatives, and Kara Lynn Ashton is from the Toronto EMS. Thanks so much for joining me.

Just in comment on the bill, I agree with the member for Nickel Belt that there is a lot more we have to do to encourage the government to become very actively involved in this. It is placing these devices in some of the public areas. As we said, one is right outside the door here. But I am going to be with you to encourage the government to do a lot more when it comes to that.

As to the member for Barrie—Simcoe—Bradford and his comments about the Good Samaritan Act, you can never seem to get two of these lawyers to agree. We have an opinion that there is a grey area in the Good Samaritan Act and that's why we've brought this forward.

As far as their being in public places is concerned, I agree. I looked at Mr. Colle's bill. In fact, I got his permission to take this matter up, since he started it. There is a great deal of difficulty in defining what a public building and a building that has public access is. We will continue to work on that. But this liability question is one that stops a lot of private industry and municipalities from placing them. We want to get that issue, the case of liability, settled. Thank you. I ask for your support.

**The Acting Speaker:** The time provided for private members' public business has expired.

#### GRAVESITES OF FORMER PREMIERS ACT, 2006

#### LOI DE 2006 SUR LES LIEUX DE SÉPULTURE DES ANCIENS PREMIERS MINISTRES

**The Acting Speaker (Mr. Ted Arnott):** We will deal first with ballot item number 25, standing in the name of Mr. Brownell.

Mr. Brownell has moved second reading of Bill 25, An Act to preserve the gravesites of former Premiers of Ontario.

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

We're going to do the second vote and put off the recorded vote till that time.

#### HEART DEFIBRILLATOR USE CIVIL LIABILITY ACT, 2006

#### LOI DE 2006 SUR LA RESPONSABILITÉ CIVILE DÉCOULANT DE L'USAGE DE DÉFIBRILLATEURS CARDIAQUES

**The Acting Speaker (Mr. Ted Arnott):** Mr. Crozier has moved second reading of Bill 71, An Act to promote the use of automated external heart defibrillators.

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

I declare the motion carried.

Pursuant to the order of the House, this bill is referred to the committee of the whole House.

I recognize the member for Essex.

**Mr. Bruce Crozier (Essex):** It seems to me I've heard that before. I would ask that consent be given to send the bill to the standing committee on social policy.

**The Acting Speaker:** Shall this bill be referred to the standing committee on social policy? Agreed.

#### GRAVESITES OF FORMER PREMIERS ACT, 2006

#### LOI DE 2006 SUR LES LIEUX DE SÉPULTURE DES ANCIENS PREMIERS MINISTRES

**The Acting Speaker (Mr. Ted Arnott):** Call in the members. This will be a five-minute bell.

*The division bells rang from 1201 to 1206.*

**The Acting Speaker:** All those in favor of the motion will please rise.

#### Ayes

Balkissoon, Bas  
Berardinetti, Lorenzo  
Bradley, James J.  
Brownell, Jim  
Crozier, Bruce  
Delaney, Bob  
Flynn, Kevin Daniel  
Hoy, Pat  
Jeffrey, Linda  
Klees, Frank

Kwinter, Monte  
Levac, Dave  
Marchese, Rosario  
Marsales, Judy  
Martel, Shelley  
Matthews, Deborah  
Miller, Norm  
Mossop, Jennifer F.  
Munro, Julia  
Murdoch, Bill

Ouellette, Jerry J.  
Prue, Michael  
Ramal, Khalil  
Rinaldi, Lou  
Ruprecht, Tony  
Scott, Laurie  
Smith, Monique  
Tascona, Joseph N.

**The Acting Speaker:** All those opposed to the motion will please rise.

**The Clerk of the Assembly (Mr. Claude L. DesRosiers):** The ayes are 28; the nays are 0.

**The Acting Speaker:** I declare the motion carried.

Pursuant to standing order 96, the bill is referred to the committee of the whole—I recognize the member for Stormont—Dundas—Charlottenburgh.

**Mr. Jim Brownell (Stormont—Dundas—Charlottenburgh):** I seek consent that Bill 25 be sent to the standing committee on the Legislative Assembly.

**The Acting Speaker:** Shall this bill be sent to the standing committee on the Legislative Assembly?

All those in favour will please rise and remain standing.

The majority is in favour, and the bill will be going to the standing committee on the Legislative Assembly.

All matters relating to private members' public business having now been completed, I do now leave the chair. The House will resume sitting at 1:30 p.m.

*The House recessed from 1209 to 1330.*



## MEMBERS' STATEMENTS

## TARTAN DAY

**Mr. Bill Murdoch (Bruce-Grey-Owen Sound):** It always brings me great pleasure to have the opportunity to wear my kilt and celebrate today the 15th anniversary of my resolution to name April 6 as Tartan Day in the province of Ontario. The declaration of Arbroath on April 6, 1320, marked the day a group of Scottish nobles swore independence from England.

I have always been proud of my Scottish heritage, shared equally with English, Irish and French. I would like to commend and thank all the other members of the Legislature who are wearing tartan today.

On April 6 of each year, we wear tartan to honour the contributions of Scottish settlers to the province. As a matter of fact, many communities in Ontario have been named after Scottish leaders, communities such as Fergus, Wallaceburg, Glengarry county and Cambridge, just to name a few.

Tartan was and still is worn by members of Scottish clans for the purpose of identification of both the clan and the clan's territory. First recorded in history by Julius Caesar in France, where he first observed Celtic tribes, tartans came in many different forms: mourning tartans, hunting tartans, clan tartans and district tartans. The Ontario tartan is in fact a district tartan identifying the wearer as being from the province of Ontario. Even billionaire property tycoon Donald Trump has joined the celebration of Tartan Week in New York, where this Sunday thousands of pipers and drummers will make their way down New York City's Sixth Avenue.

If you're wearing a kilt, tie or some other form of tartan today, you're not only celebrating our Scottish history and their contribution to the multicultural nature of Ontario, but you are in good company.

## EVENTS IN MISSISSAUGA

**Mr. Tim Peterson (Mississauga South):** I rise today to tell the House about the Southside Shuffle, a gala evening called New Orleans 2006, and to introduce Mr. Chuck Jackson.

Chuck Jackson is the founder of the Southside Shuffle, a four-day blues festival in the town of Port Credit in my riding of Mississauga South. It takes place the weekend after Labour Day, this year from Wednesday, September 6, to September 10.

Over 75,000 people from all over North America will attend the four-day festival. On Saturday, the main street of Port Credit is closed and over 20 restaurants will have blues bands playing. The main stage on Friday night this year will feature David Clayton Thomas, and the main stage continues on both Saturday and Sunday.

In 2005, Chuck and I founded the New Orleans Gala. In our first year, over 600 people on a Wednesday were treated to an evening of delicious food provided by 10

restaurants. Music from seven different performers and wine, spirits and beer were all donated to the evening.

Due to the generous support of five companies in my riding—Petro-Canada, St. Lawrence Cement, the Ontario Pharmacists' Association, GlaxoSmithKline and AECL—and the 10 local restaurants and the 600 people, we were able to donate \$20,000 to five local charities, \$5,000 to New Orleans relief and \$20,000 to the Southside Shuffle so it can expand its activities.

Both Chuck and I and the 60 volunteers are very proud that the citizens of Mississauga came together to benefit five local charities: the Lakeshore Corridor, Youth Net Peel, the Compass, the food bank and Interim Place.

All of us are aware that even in the wealthiest ridings in Ontario, some of our population lives below the poverty line and needs assistance from local charities. Mr. Speaker and members of the House, it is a pleasure to introduce to you Mr. Chuck Jackson, founder of the Southside Shuffle and co-founder of the New Orleans Gala.

## HOCKEY

**Mr. John Yakabuski (Renfrew-Nipissing-Pembroke):** The cuts have been made, and the 50 finalists have been chosen in CBC television's Kraft Hockeyville contest. My hometown of Barry's Bay has made the grade. A renewed excitement was in the air this past weekend, as the news spread through the area like wildfire. As a pleased and excited Reeve John Hildebrandt said, "I think it's fabulous. It's amazing to me to think that out of 450 applications, we're down to 50."

The remaining contestants must now submit a two-minute video telling Canadians why their community should be named Hockeyville. It's all about community spirit and the great Canadian game of hockey. Both were prominently displayed this past weekend, as the first Opeongo Heritage Cup was played: a friendly but spirited round robin between teams of German, Irish and Polish descent, whose ancestors came to settle in the Valley some 150 years ago.

The tournament featured exciting hockey played at a very high calibre. The stands were full and rocking, as fans cheered for their respective teams. After treating everyone to a great weekend of very closely played contests, the Irish team emerged as the victor.

Let me take this opportunity to congratulate Michael Papania and Shawn O'Reilly and everyone involved in the Hockeyville application, and also David Shulist and his team of volunteers for making the first Heritage Cup such a tremendous success and an integral part of our Hockeyville submission.

Municipalities and their citizens from all around the Valley are throwing their support behind Barry's Bay's bid. In fact, Dave Basset, better known as the Singing Farmer, has already composed a song being played throughout the Valley, encouraging people to get their votes in for the only real choice for Hockeyville: Barry's Bay.



## MAKING THE GRADE

**Ms. Andrea Horwath (Hamilton East):** I'm pleased to welcome to the chamber students who participated in CBC television's groundbreaking Making the Grade project. The students aren't just making the grade; they're making history. This is the first time ever in Ontario that students have drafted legislation that we will debate and hopefully pass into law in this House.

Each party sponsored a different bill. I was pleased and proud to work with the students from St. Ignatius of Loyola Catholic Secondary School in Oakville, Cardinal Carter Catholic High School in Aurora and Lisgar Collegiate in Ottawa. I congratulate the students for their impressive work, and I want to commend the genius of CBC's Queen's Park reporter Mike Wise, who developed the program.

With the time remaining, I'd like to acknowledge the students by name, if I can get them all in: Zach Brewer, Hajoon Choi, Andrew Cormier, Michael Daly, Jacqueline DiFilippo, Lindsay Franco, Anthony Gomes, Philip Hemsley, Zach Horcoff, Nikki Kellner, Christina Lee, Katie MacFarlane, Nicholas McLeod, Alicia Medina, Paul Mitchell, Erin O'Leary, Sarah Primeau, Korina Punzalan, Yagin Rahmani, Regine Robles, Ana Romero, Karen Spilak, Stephen Stanford, Gabriela Torres, Henry Whitfield, Vanessa Fleming, Natasha Burrow, Lauren Babic, Carly Carrigan, Kendra Stephenson, Amanda Piron, Liz Piccoli, Dante Lagrasta, Sasha Kuyumju—I promised Sasha I wasn't going to murder her name, and I think I might have—Stefano Longhin, Kristina Karakolis, and Majd El-Samrout.

I salute the teachers also: Giulia D'Agostino, Lori Lucignani, and Ken Rachner, who also happens to be a constituent in Hamilton East.

Welcome to all, and bravo.

## JANE STREET AND HIGHWAY 7

**Mr. Mario G. Racco (Thornhill):** The intersection of Jane Street and Highway 7 is a major artery for my riding of Thornhill. On February 7 this year, the intersection's pipe infrastructure gave in. The city of Vaughan is working to replace the pipe system, in addition to putting up signs to notify the community that businesses are still open. With all this effort, however, the local businesses are still suffering.

The importance of this intersection to my riding of Thornhill cannot be understated. With this in mind, I would like to publicly invite everyone to join me tomorrow, Friday, to visit the restaurants and businesses at the Jane and Highway 7 intersection. I encourage everyone to drop in at lunchtime to enjoy a quick coffee and/or lunch or to stop and shop at a variety store. I trust that once you visit this friendly intersection, you will see how important and valuable this area is, not only for the community of Thornhill, but for the entire region of York. This is also the location of the future subway station and therefore will be a very important location for the greater Toronto area.

1340

I also want to say to the House that the province is working with the city of Vaughan through the Vaughan business centre to find some solutions to the problem. In fact, the province subsidized the Vaughan business centre, and recently there has been a meeting to find some solutions, potentially to train the business community on how to deal with this problem. I invite all of you again to join me on Friday. If I have to pay, I will.

## BORDER SECURITY

**Mr. Ted Arnott (Waterloo-Wellington):** Yesterday, I was glad to attend the annual general meeting of Attractions Ontario at Dundurn Castle in Hamilton. The people attending this event were exceedingly disappointed that the McGuinty Liberal government, for all intents and purposes, ignored tourism in the provincial budget two weeks ago.

Months before that budget, tourism industry representatives had told the government that Ontario was challenged by a major decline in US visitors, reaching a 33-year low last year. Now it's likely to get even worse because it appears our American visitors may soon need a passport or a new identity document to get back home. We are already feeling the impact, as word continues to spread of new bureaucracy at the border.

Just today I spoke with a Toronto cab driver who used to get 40% of his fares in American currency. He told me he hasn't seen an American dollar in a month. Yesterday, in response to my questions on the challenge our tourism industry faces, the Premier of Ontario simply pointed a patronizing crooked finger at the federal government.

The truth is that Ontario is facing this enormous challenge, in part because of too many gratuitous anti-American statements by too many Liberals in recent years, which have received prominent media coverage in the United States. Instead of using up the time of this House with partisan nonsense, the government of Ontario should be pushing for a Canadian exemption or a security-upgraded driver's licence and extending the tight time frames that start in just eight months from now. We need to talk more about our friendship and free trade and we need action to protect jobs on both sides of the border. If we're not successful, the government must be ready with a contingency plan which includes a \$30-million marketing expenditure—

**The Speaker (Hon. Michael A. Brown):** Thank you.

**Mr. Kim Craiton (Niagara Falls):** Say it isn't so. As a border community, my riding of Niagara Falls is extremely concerned about the ill-conceived, ill-intentioned plan by the United States government to implement stricter passport controls between our two friendly nations. The requirement for Americans to have US passports to re-enter their own country will make the SARS crisis for the tourist industry look like a Sunday flu on a sunny day.



Niagara Falls is a tourist-driven economy. There are billions of dollars at stake, not just this year, but every year until this problem gets seriously addressed. The Niagara Falls Chamber of Commerce fears thousands of jobs will be lost next year and over \$1 billion lost for the local economy each and every year until this gets resolved. The provincial and federal coffers will lose millions of dollars. Niagara Parks will suffer. Our two casinos will suffer. The Fort Erie slots and racetrack will suffer. Our hospitality industry will suffer. Our arts community will be absolutely decimated.

Why has the Prime Minister abandoned the border communities of Canada? Why is he not leveraging our assets to get this issue resolved? These are the questions that my community wants answered. These are the questions that my community and the investors who spend billions of dollars to make our community a world-class attraction are asking and these are the questions that my community wants answered now.

### LA FRANCOPHONIE

**M. Phil McNeely (Ottawa–Orléans):** La semaine dernière, j'ai eu le plaisir de me joindre à l'Assemblée parlementaire de la francophonie pour leur Commission des affaires parlementaires dans la belle ville bilingue d'Ottawa.

L'Assemblée parlementaire de la francophonie a été créée en 1967, et regroupe des parlementaires de 74 parlements ou organisations interparlementaires répartis sur les cinq continents. Son action vise principalement à promouvoir et défendre la démocratie, l'État de droit, le respect des droits de l'homme, le rayonnement international de la langue française et la diversité culturelle.

L'Assemblée parlementaire de la francophonie est un lieu de débats, de propositions et d'échanges d'informations sur tous les sujets d'intérêt commun à ses membres. Elle adopte des résolutions sur des sujets intéressant la communauté francophone dans les domaines politique, économique, social et culturel.

On a eu aussi le plaisir d'entendre un discours présenté par M. Normand Jutras, député rapporteur de la Commission des affaires parlementaires. Sa présentation, intitulée *Le contrôle parlementaire en Francophonie*, avait comme but d'informer les délégués sur les diverses formes de gouvernement qui mènent les pays francophones du monde.

Il est vrai que certains d'entre eux n'ont pas les structures démocratiques qu'on a ici au Canada. En ce cas, l'Assemblée parlementaire de la francophonie met en oeuvre des actions du développement de la démocratie au sein des parlements francophones.

Monsieur le Président, j'étais fier de pouvoir participer à une telle initiative.

Étant donné que ma circonscription d'Ottawa–Orléans inclut un grand nombre de francophones, ça m'a fait plaisir de me joindre aux autres délégués canadiens de la part d'Orléans.

### EASTERN ONTARIO

**Mr. Jim Brownell (Stormont–Dundas–Charlottenburgh):** I take it as a personal obligation to explain to this House on behalf of my constituents the awkward position this government has put me in. Under previous governments, the members from my riding expected me to make one or two announcements a session, as eastern Ontario and communities like Cornwall, South Dundas and South Stormont were largely ignored. Indeed, it was under previous governments that the concept of Ontario ending at Kingston was forged.

Well, the McGuinty government sees things differently. They have made a point of ensuring that all parts of Ontario are respected, including the east and my riding of Stormont–Dundas–Charlottenburgh.

As I am sure is the case for many members present, I find myself, for perhaps the first time in the history of my riding, in the position of having to decide which announcement to make first. Should I mention the nearly \$7 million going to roads and bridges throughout my entire riding? Should I talk about nearly \$400,000 for land ambulances; the \$1 million going to water projects in South Stormont and South Dundas; the new community health centre?

With all the long-deserved consideration this government has shown my riding, it's hard to know where to begin. The fact is that all these communities, and communities all across Ontario, were allowed to decay under previous governments. The last one went so far as to download responsibilities while cutting funding to municipalities they expected to provide them.

What the Leader of the Opposition calls a spending spree is more accurately described as necessary maintenance, good governance and responsible leadership. We are showing the way and I'm proud of that.

### VISITORS

**Mrs. Elizabeth Witmer (Kitchener–Waterloo):** On a point of order, Mr. Speaker: I would like to introduce the students from Christ Lutheran School. Their teacher is here today and they're sitting up there in the gallery.

**Mr. Frank Klees (Oak Ridges):** Mr. Speaker, I will be introducing two bills for first reading today and I want to inform the Legislature that both bills were developed by Ontario students through the CBC's Making the Grade project. This project, spearheaded by the CBC's Queen's Park reporter, Mike Wise, is an attempt by CBC News to find new ways to get young people interested in politics. Today is evidence of the success of that initiative.

I want to acknowledge and welcome to the Legislature students from Iroquois Ridge High School in Oakville, who are here with teachers Ms. Monique Gazan and Ms. Amber Mitchell. Members, please welcome the students who are in the gallery today.

I want to extend a special welcome to Nupur Dogra, the grade 9 student from Iroquois Ridge High School

who initiated and led the development of the first bill I will now move for first reading.

1350

## INTRODUCTION OF BILLS

### EDUCATION AMENDMENT ACT (NUTRITION STANDARDS IN SCHOOLS), 2006

#### LOI DE 2006 MODIFIANT LA LOI SUR L'ÉDUCATION (NORMES ALIMENTAIRES DANS LES ÉCOLES)

Mr. Klees moved first reading of the following bill:

Bill 93, An Act to amend the Education Act / Projet de loi 93, Loi modifiant la Loi sur l'éducation.

**The Speaker (Hon. Michael A. Brown):** Is it the pleasure of the House that the motion carry? Carried.

The member may wish to make a brief statement.

**Mr. Frank Klees (Oak Ridges):** In presenting this bill for first reading today, I do want to acknowledge the initiative of Nupur Dogra. Nupur, as I mentioned, is a grade 9 student who was inspired, through the CBC's Making the Grade project, to take action on an issue about which she feels very passionately. Nupur wants to enable students to make healthier choices at lunchtime, and she wants to help fight the problem of childhood obesity. To quote Nupur, "\$1.6 billion is going towards treating obesity-related illness. This bill will help make a difference by positively affecting our society's economy, by spending less money to treat these diseases."

This bill, if passed by the Legislature, will amend the Education Act to require three new duties of school boards. First, school boards must ensure that pupils receive instruction in nutrition standards for healthy eating. Those standards include the standards set out in Canada's Food Guide to Healthy Eating and in Canada's Guidelines for Healthy Eating, both published by Health Canada. Secondly, school boards must establish a committee to advise on what standards should form part of the subject matter of the instruction. Thirdly, school boards must post a copy of the two publications of Health Canada in cafeterias that they operate.

On behalf of Nupur Dogra and the thousands of students that she is convinced this legislation will benefit, I urge members to support this bill.

The second bill I am introducing for first reading was proposed and developed by students at Cardinal Carter Catholic High School in Aurora, who also are with us today. I ask the members to give them a special welcome. I want to acknowledge the initiative of Carly Carrigan, who is in the gallery with her fellow students and teachers Ms. Giulia D'Agostino and Ms. Laurie Lucignani. Welcome.

### EDUCATION AMENDMENT ACT (COMMUNITY INVOLVEMENT), 2006

#### LOI DE 2006 MODIFIANT LA LOI SUR L'ÉDUCATION (PARTICIPATION COMMUNAUTAIRE)

Mr. Klees moved first reading of the following bill:

Bill 94, An Act to amend the Education Act with respect to community involvement activity hours and board support / Projet de loi 94, Loi modifiant la Loi sur l'éducation à l'égard des heures d'activité et de l'appui des conseils au titre de la participation communautaire.

**The Speaker (Hon. Michael A. Brown):** Is it the pleasure of the House that the motion carry? Carried.

The member may wish to make a brief statement.

**Mr. Frank Klees (Oak Ridges):** This bill, if passed, will amend the Education Act to allow the minister, under the act, to require students in the senior divisions to complete no less than 80 hours of community involvement activities, or a lesser number of hours that the minister may specify, before receiving their Ontario secondary school diploma.

It will also require school boards to establish policies and guidelines relating to these community involvement activities, and those policies and guidelines cannot prohibit students from participating in heritage and cultural events of a community as a means of completing those requirements.

School boards will also be required to establish joint teacher-student committees to assist students in determining appropriate activities and providing guidance relating to the successful completion of the required number of activity hours.

I urge all members of the House to support this bill.

### EMPLOYMENT STATUTE LAW AMENDMENT ACT (INFORMING STUDENTS OF THEIR EMPLOYMENT RIGHTS), 2006

#### LOI DE 2006 MODIFIANT DES LOIS EN CE QUI A TRAIT À L'EMPLOI (FOURNITURE DE RENSEIGNEMENTS AUX ÉTUDIANTS SUR LEURS DROITS EN MATIÈRE D'EMPLOI)

Ms. Horwath moved first reading of the following bill:

Bill 95, An Act to amend the Employment Standards Act, 2000 and the Occupational Health and Safety Act with respect to providing information to student employees about employment rights / Projet de loi 95, Loi modifiant la Loi de 2000 sur les normes d'emploi et la Loi sur la santé et la sécurité au travail à l'égard de la fourniture de renseignements aux étudiants salariés sur les droits en matière d'emploi.

**The Speaker (Hon. Michael A. Brown):** Is it the pleasure of the House the motion carry? Carried.

The member may wish to make a brief statement.



**Ms. Andrea Horwath (Hamilton East):** I did, in my statement earlier, acknowledge the wonderful young people who have joined us today and those students who worked very diligently to prepare this bill.

In the preparation of this bill, students were raising the issues around employment rights for students. Part of their concern is that, as young people starting off in the workplace, they're not only generally unaware of what their rights are in the workplace, but also unaware of how to enforce those rights. The students came up with an act that would amend two other pieces of legislation to provide the opportunity for students, in their own language, in their own best way of learning, to understand what their rights are and understand how to enforce those rights, and puts obligations on employers to provide posters as well as booklets to youth when they become employed in a place of work.

This bill will help to protect students' interests and will help to give them the understanding of what their obligations are but, most importantly, what their rights are in the workplace so that they can start off in Ontario with very positive work experiences and long and healthy working careers.

I am very proud of this bill. I'm proud of the students and I hope every member of this House will support this bill.

EDUCATION AMENDMENT ACT  
(SCHOOL WASTE REDUCTION), 2006  
LOI DE 2006 MODIFIANT LA LOI SUR  
L'ÉDUCATION (RÉDUCTION DES  
DÉCHETS DANS LES ÉCOLES)

Ms. Wynne moved first reading of the following bill:

Bill 96, An Act to amend the Education Act / Projet de loi 96, Loi modifiant la Loi sur l'éducation.

**The Speaker (Hon. Michael A. Brown):** Is it the pleasure of the House the motion carry? Carried.

The member may wish to make a brief statement.

**Ms. Kathleen O. Wynne (Don Valley West):** I'm also very happy to take part in the Making the Grade project, the brainchild of CBC's Mike Wise. What this bill does is it amends the Education Act by imposing duties on school boards to ensure that every classroom has separate recycling containers for paper, plastic and aluminium and that every school cafeteria has a recycling facility.

This bill was developed by the students of Georgetown District High School who are in House today. They did their research and found that not every classroom and not every cafeteria in the province has recycling containers and that they're not used appropriately.

**Interjection:** That's a shame.

**Ms. Wynne:** That is a shame, and that needs to be changed, and that's what the students thought.

I'd like to acknowledge the students who are in the House with us today: Kody Lyons, Kevin Robbie, Hillary Lutes, Joanna Ho, Jenna Misener, Jessica Holburn, Jen

McVicar, Calvin Halaig, Dylan Hickson, Chris Dobson, Rob Weber, Justin Bravo, Robin McDonald, Jamie Gelfand, Ashley Moffatt and Amanda Stone Brink.

I'd like to acknowledge the staff advisor to the geography club—Laura Hudgin—for all their work in creating this bill, because it was the geography club that developed this bill.

I know that all of us who visit schools are not surprised that students take these issues seriously, but we are impressed that the students have worked this hard and come this far, and I hope everyone will support this bill.

1400

CHILD AND FAMILY SERVICES  
AMENDMENT ACT, 2006

LOI DE 2006 MODIFIANT LA LOI SUR  
LES SERVICES À L'ENFANCE ET  
À LA FAMILLE

Andrea Horwath moved first reading of the following bill:

Bill 97, An Act to amend the Child and Family Services Act / Projet de loi 97, Loi modifiant la Loi sur les services à l'enfance et à la famille.

**The Speaker (Hon. Michael A. Brown):** Is it the pleasure of the House that the motion carry? Carried.

The member may wish to make a brief statement.

**Ms. Andrea Horwath (Hamilton East):** This bill would make the Ontario child advocate truly independent, something the government promised to do, but at this late date still has not done. It amends the Child and Family Services Act to ensure that the child advocate is free to speak up for children and children's issues by requiring that person to submit a report each year to the Legislative Assembly summarizing the activities, finances and expected outcomes of the office and the results achieved by that office.

It's high time that Ontario had an independent child advocate, and I hope every member of this Legislature will support this bill.

MOTIONS

REFERRAL OF BILL 190

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** Mr. Speaker, I believe we have unanimous consent to move a motion without notice regarding discharging a bill from one committee to another.

**The Speaker (Hon. Michael A. Brown):** Agreed? Agreed.

**Hon. Mr. Bradley:** I move that the April 4, 2006, order of the House referring Bill 190, An Act to promote good government by amending or repealing certain Acts and by enacting one new Act, to the standing committee

on social policy be discharged and that the bill be referred instead to the standing committee on the Legislative Assembly.

**The Speaker:** Is it the pleasure of the House that the motion carry? Carried.

## STATEMENTS BY THE MINISTRY AND RESPONSES

### FAMILY HEALTH TEAMS

**Hon. George Smitherman (Minister of Health and Long-Term Care):** It was my pleasure to join the Premier and a number of caucus colleagues in my homeland of Etobicoke earlier today for an important announcement.

We were in Etobicoke to launch the third wave of family health teams. This third wave consists of 50 new family health teams, bringing the province-wide total to 150. That's a significant number because it fulfills the commitment we made just over two years ago. It's also important to note that we have reached that goal in April 2006, far ahead of schedule.

But the most important thing about reaching this goal at this time is what it means for the people of Ontario. They are the true beneficiaries of this remarkable achievement. That's because family health teams are a health care model that works. They work for patients and they also work for doctors and other health care professionals.

Family health teams are exactly the kind of interdisciplinary health care team model that experts like Roy Romanow have been calling for for years. They are, in the truest sense of the word, teams. They provide health care, often to people who didn't have a family doctor, and they provide it in a tremendously efficient way.

The benefits are felt throughout the system. Family health teams reduce pressure on hospitals. They reduce wait times. Because of their team model, they are able to extend care to more patients per doctor than doctors working in a solo practice.

Family health teams help doctors to leverage the care they provide, and they offer expanded and different types of care that doctors alone cannot provide.

Family health teams allow those who work there to share the workload, providing them with greater flexibility and balance in their work and home lives.

The benefits to patients are even more compelling. In addition to offering interdisciplinary care, family health teams provide after-hours and weekend coverage, and patients can call a telephone health advisory service after hours to get health care advice from a registered nurse.

Family health teams make sense. They are a model that enjoys almost universal approval.

The 50 new family health teams we announced this morning are located in urban areas and rural communities, and they vary in size and structure. I'm particu-

larly proud of the fact that with these announcements today, we're seeing the first nurse-practitioner-led family health team initiative in Timmins.

Since each of the 150 family health teams across Ontario is at a different stage of readiness, the teams are becoming operational at different times. Once all 150 family health teams are operational, they will be able to provide the very best kind of comprehensive care to some 2.5 million. Already 700,000 Ontarians, including 41,000 who did not previously have access to a doctor, are enjoying care and support from family health teams. Because of their flexibility, each of these family health teams will be extremely responsive to the unique needs of the communities they serve, whether it be HIV or diabetes, allowing care to be targeted more effectively than ever before.

Family health teams are coming to life across Ontario and they're coming to life more quickly than even the most optimistic forecast. This is good news for all Ontarians. I know that all members of this House will join me in celebrating this important milestone and congratulating those, especially our front-line health care providers, who have done so much to make it happen for our patients.

**The Speaker (Hon. Michael A. Brown):** Statements by the ministry? Responses?

**Mrs. Elizabeth Witmer (Kitchener-Waterloo):** I'm pleased to respond to the statement made today by the Minister of Health. Our government, when we were in office, did support the introduction of this new model of care. In fact, we were pleased to launch this new model of primary care with the Ontario Medical Association in 1998. We're very pleased that the Liberal government has continued to move forward with that initiative. It is an initiative that provides seven-day-a-week, 24-hour care. It also provides for an interdisciplinary model of care. So we do support it. We are glad they're building on the foundation.

However, the reality is that this minister and this government have now made 20 announcements on family health teams. The reality is that there are not 150 family health teams up and operational. In fact, the government has experienced extreme difficulty. They are great at making promises, but they are having extreme difficulty in delivering those promises.

This government is asking people to pay more through the health tax and they are delivering less. We've seen it here. We've seen it in the promise they made to the people of the province that they were going to have 8,000 new nurses. The truth is, the Ontario Nurses' Association has a campaign right now expressing their disappointment that the government has not created 8,000 new positions. In fact, the nursing association is very concerned that the government will be unable to fulfill that promise. Again, this government promises, but they are unable to deliver.

We've seen it in wait times. Again, this government has indicated they're going to reduce wait times for people in Ontario. The truth is, it is not happening.



People are paying more. They're paying the health tax, despite the fact that the Premier said he would not raise taxes, and they are seeing less.

In fact, if we take a look at wait times, the unfortunate reality is that in the central east LHIN, the wait times for angioplasties are up an astonishing 317%. In the Premier's hometown of Ottawa, wait times for hip replacements at the Queensway Carleton Hospital are up 318%. The MRI wait times at St. Michael's Hospital are up 40%. This is the Liberal legacy.

**1410**

On nurses: They haven't delivered the 8,000 nurses. They have not delivered on their promise as far as wait times are concerned, and yet people pay more and they get less. In fact, if we want to take a look at nurses, remember, this is the government that promised 8,000 more nurses. And what did they do? Well, remember, in January 2005, they actually spent \$91 million to fire 757 nurses. Then they turned around six months later and spent another \$28 million to keep the nurses. This is the track record of this government.

Then, today, we have the 20th announcement on family health teams. It's as though this government, its Premier and its minister figure that if they go out one more time and talk about this, the public will actually believe it's happening. Remember, this is merely an announcement. In fact, the first announcement was actually a conversion of our family health networks into family health teams. These family health teams are not operational. The negotiations have been very challenging and very difficult. In fact, some of the physicians who originally had expressed interest are no longer interested today. It is extremely regrettable that this government makes promises and they cannot deliver on their promises.

The minister says there are 30 teams up and operational. We understand there are 12 in negotiations and only four of them have completed the negotiations. We also know that they do not fulfill the criteria of what is meant by a "family health team."

I also want to put on the record the fact that there's growing concern that this is two-tier medicine. There will be people who will be part of the family health teams who will have access to all sorts of services, such as physiotherapy, and yet other people will not have the same opportunity, will not be able to have that access.

This government has now made 20 announcements about 150 family health teams. The reality is, that's all they are. They are not fully operational family health teams, and this government is simply not able to deliver on any of their promises.

**Ms. Shelley Martel (Nickel Belt):** In response to the statement made by the Minister of Health, I'm going to repeat the concerns I have raised before when this government has made announcements about family health teams. Number one: How many of the family health teams announced today are actually reincarnations of existing family health groups or family health networks that were established and funded under the previous

Conservative government? How many, in fact, are only conversions from FHGs and FHNs that were already in existence and that will essentially fail to provide any more care to any more people, because they have a similar structure? How many of the ones announced today are actually physician groupings that were already in place?

I raise this because in April 2005, when the government announced its first wave of family health teams, the minister had to admit to Canadian Press that, "Half of the first wave of family health teams will involve docs already working in group practices switching over to a new model." At that time, at least 14 former family health networks became family health teams, and 10 of them kept their old name from when they were family health networks. It's no wonder that at the time the former president of the OMA, John Rapin, said, "This is not going to immediately increase the number of doctors in Ontario," said Dr. John Rapin, president of OMA.

"In fact, I expect most of these teams will be a coalescence of current medical practices in the community."

The second concern is, how many of the family health teams announced today are going to operate in underserved areas in this province? You see, in the first round of announcements, almost half of the teams that were announced were not even located in underserved areas, as per the Ministry of Health's own underserved area list. In the second round of announcements, less than half of the teams that the government announced were going to underserved area communities, as per the Ministry of Health's underserved area list.

I haven't had a good look at the list that's been announced today, in comparison to the most recent figures coming from the underserved area program. But I suspect that we will see more of the same, that about half of the teams are going to end up in underserved areas, when I thought the point of the exercise was to make sure that people in underserved areas got primary care reform first, and that is not happening.

The third concern I have involves the timelines that are in place, if there are any, to actually get family health teams up and running. I want to use some quotes, very recent quotes, from people who are extremely concerned about the long delay in actually seeing something get up and operating in their communities.

This comes from the Windsor Star, Saturday, March 18: "Nearly a year after Harrow and Leamington were approved for provincial funding to start family health care centres, progress has been sluggish, the chairman of the Harrow family health team board said Friday.

"The community of Harrow is very disillusioned about where these family health teams are going," said Mike Munger, chairman of the Harrow family health team inc. 'We're starting to believe that the ministry does not want to fund these things.'"

In April 2005, the ministry announced 69 health teams, including Leamington and Harrow. To date, all Leamington and Harrow have seen is about \$70,000 to



develop a business plan, which they submitted in November and October 2005, some many long months ago.

It is true that the local member got together a meeting between himself and Minister Smitherman to talk to the team's proponents about this so they could express their concern. What is still interesting is the timeline. You see, Mr. Crozier said that he'd like to see the health teams start by the end of the year; the ministry said that it hopes the health teams will be operating by 2007 or 2008. What is happening in this community?

That's not the only one. This is from the Owen Sound Sun Times. Owen Sound was one of the first among 52 communities to be identified, in April 2005. The chair of the board said that "more information has trickled down ... many things remain unclear...."

"There hasn't been a family health team approved in its entirety yet in the province," Tweedie said.... It could be a number of months before we hear back...."

Jim McLean, who's leading this whole exercise, said that "it would take about two years to get the local team up and running."

Where is the primary care that people were promised?

#### MEMBER'S BIRTHDAY

**Ms. Jennifer F. Mossop (Stoney Creek):** On a point of order, Mr. Speaker: I'd just point out that it is not only Tartan Day today, but it is also another auspicious event: the birthday of the government whip. Happy birthday to Mr. Levac.

#### VISITOR

**Hon. Rick Bartolucci (Minister of Northern Development and Mines):** On a point of order, Mr. Speaker: I'd just to inform the House that the teachers and students at Wembley Public School are very, very proud of the page from Sudbury, Mark Mancini. I know that his father, Rick Mancini, who's in the gallery today, is very, very proud of him as well.

#### ORAL QUESTIONS

##### SENTENCING

**Mr. Robert W. Runciman (Leeds-Grenville):** My question is for the Attorney General. There's a report in today's media that the crown has reached a two-pronged agreement with contract killers who committed a horrendous gun crime in Toronto. Connected with the sentence is an agreement with these professional hit men, who crippled an innocent bystander, to provide a \$2.5-million payment to the victim. If true, it looks as though organized crime is attempting to buy a cheaper sentence with the proceeds of criminal activity. Can you tell us what the policy of your ministry is with respect to perpetrators

offering restitution to victims in return for more lenient sentences?

**Hon. Michael Bryant (Attorney General):** The member, when he was Solicitor General, used to answer questions such as that by referring to standing order 23(g), and saying that a matter that's before the court, before a judge, for a particular judicial determination is out of order, and the question is out of order. In any event the member, as he said at the beginning of his question, is speculating upon speculation. I know that when the member was Solicitor General, he never would have speculated about a matter that was before the court. He is doing so now, but I won't.

1420

**Mr. Runciman:** I wasn't speculating about a matter; I was asking about a policy with respect to perpetrators offering money for a lesser sentence. We have a city plagued by gun crime. We have a case where contract killers are being handed, apparently, a lenient sentence, given to them because of a proposed cash payment. According to Chief Bill Blair, these cold-blooded killers don't have any remorse. These are the most dangerous criminals in Ontario. They are hired contract killers and they should be receiving the maximum sentence for their crimes.

This is a policy question: Will you direct crown attorneys in this province to ask for the maximum sentence in all cases of contract killers affiliated with organized crime?

**Hon. Mr. Bryant:** Again, the Legislature is a forum where we engage in political debate. I would hope that the member would not be trying to provide political pressure in any way on decisions that are to be made, that have to be independent, with respect to how a particular matter is pursued before the courts, nor would he want to try to influence a matter that is before the courts in any way.

I won't speculate about what might happen in the future. The matter that he is asking about is quite clearly before the courts. We expect the next appearance on this particular matter will take place early next week. I would ask members and the public to respect the due process, to respect the victim and the victim's family, in this case, and to let the matter unfold before the courts as it should.

**Mr. Runciman:** I think we do have a role to play here. If this goes forward, as suggested by the Toronto Sun, this is a horrible mistake, a very dangerous precedent. You have a role to play as the Attorney General. As the minister responsible, you have to be able to assure Ontarians that the payment of money is not reducing the sentence of these contract killers. If you can't do that, again, I say this is wrong. What you're suggesting is that if these criminals are to commit more crimes, all they have to do is have the funds necessary to buy a cheaper sentence. That's the precedent here.

I ask the minister: Will you be directing the crowns not to make any deals—get away from a specific case—regarding restitution until they're satisfied the money does not come from criminal activity?



**Hon. Mr. Bryant:** Again, I say to the former Solicitor General, would he have directed police as to what they ought to do on a particular matter based on what was urged by him in a legislative debate in the Legislature? Of course he wouldn't have, or shouldn't have.

This is obviously a matter involving an innocent victim and her family. Louise Russo is someone who I have met with on more than one occasion, on this and other matters. She is incredibly courageous. I can tell you that she has indicated to me that the speculation that takes place around this matter is very harmful, hurtful and difficult. Yes, there is a process under way and yes, she is participating in that criminal justice process. But I believe that she and her family have quite clearly been through enough and should not be subjected to this kind of speculation.

The matter will be public and go before the court. I will obviously answer questions upon the conclusion of the matter. I would just ask members to let the process unfold as it should.

#### HEALTH PREMIUMS

**Mr. John Yakabuski (Renfrew-Nipissing-Pembroke):** My question is for the Premier. Yesterday you told us that you are going to enforce your broken tax promise to the loyal men and women of our armed forces and that they are going to pay for that broken promise. These are individuals who risk their lives to protect our freedom and who work in inherently dangerous situations. I'm getting letters from members of our armed forces who aren't even allowed to access OHIP services because they would be breaking the law.

Premier, these brave men and women should not be paying your health premium, your punitive health tax. Their health care is paid for by the people of Canada. Will you stand up, look in the camera and tell them again why you're letting them down?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** To the Minister of Finance.

**Hon. Dwight Duncan (Minister of Finance, Chair of the Management Board of Cabinet):** I will repeat what I said yesterday: The premium is intended to improve Ontario's health care. The revenue raised from the premium is used to support the health care system. Having a well-functioning system is vital for anyone receiving care in Ontario, whether or not the select service used by that individual is paid for by the province. Without that system to support hospitals, clinics, doctors and nurses, we would not be able to provide quality individual care.

All of us contribute at different stages of our lives, and all of us use the system at different stages of our lives. It's an investment in something I think we all agree to—a one-tier public health care system—and it's a system that members of their families and members themselves, those individuals, will benefit from, too, when they return home to Canada and when they finish their service in the military.

**Mr. Yakabuski:** Premier, I would think that if you feel this money is so important to your bloated government, you would answer that question to the members of our armed forces yourself. There are 28,000 Ontarians serving our country who do not receive OHIP coverage. To charge them the health premium is the same as trying to charge one from the province of Quebec, but you're looking for a way to do just that, I'm sure.

The income tax form clearly separates the health premium from the rest of the taxes we pay. How can you continue to make these men and women pay for your broken promise? In fact, Alberta and British Columbia exempt members of the armed forces from their health premiums. Premier, how can you continue to break faith with men and women in our armed services?

**Hon. Mr. Duncan:** We are proud of the men and women in our armed services. We're proud of what they render to us, and we're proud of the fact that we've invested in a family health team at CFB Petawawa. The premium is part of the Income Tax Act. It's a tax—a tax that's paid by all citizens of Ontario, including, for instance, RCMP officers and others who serve all of us loyally and proudly.

As we're proud of their efforts, we're proud of our public health system, and we're proud to be making the investments we need to ensure that those soldiers and their families have the same quality of health care that all of us have come to enjoy. We're proud of our investments in health care in this province.

**Mr. Yakabuski:** Premier, in your biography you proudly speak about working your way through school by taking a job as an orderly in a veterans' hospital in Ottawa—a hospital completely paid for by the federal government. In August, there will be more than 1,100 Ontarians serving in Afghanistan in the line of fire who will be there, still paying your tax while defending you and your broken promises. Will you stand up, please, today, and tell these brave men and women heading to Afghanistan this summer that they no longer have to pay your punitive, illegal health tax?

**Hon. Mr. Duncan:** Again, let me state how proud we are of the armed men and women in the armed services who serve on behalf of all Canadians. They pay income tax, they pay other taxes, and they contribute as all of us do. I think they're proud of our health care system, and I think they understand, when they come home, that they'll use the system, that their families use the system.

Unlike that member and his party, we're not prepared to cut \$2.6 billion out of the health care system. That's what you want to do. You want to eliminate the health premium, which means you want to take out \$2.6 billion.

Let me tell you, that premium, every penny, gets invested in health care. Let me tell you another thing: It doesn't cover the entire increase in costs and investments that we've made in health care to ensure adequate health care for everyone.

We're proud of the men and women who serve for us overseas, and we're proud of the public health care system that they're fighting to defend.



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# NATIONAL CHILD BENEFIT SUPPLEMENT

**Mr. Howard Hampton (Kenora–Rainy River):** My question is for the Minister of Community and Social Services. Allow me to congratulate the minister on her new appointment.

My question to the minister is, can you tell us how many Ontario children are living in poverty, and how much money is the McGuinty government clawing back from the poorest of those children every year?

**Hon. Madeleine Meilleur (Minister of Community and Social Services, minister responsible for franco-phone affairs):** I thank the leader of the third party for his question. My answer is too many children, and that's why this government is doing so much to improve the lives of our children.

As we know, one of this government's priorities is to help the most vulnerable in our community, so let me tell you what we have done since we came to power. We have increased social benefits by 5%. There was a 12-year freeze, and probably under your government there was a freeze, and your party voted against all social assistance increases, so I'm not going to take any lesson from you today.

We have restored the nutrition allowance to mothers. A mother with two children will see a—

**The Speaker (Hon. Michael A. Brown):** Thank you. Supplementary.

**Mr. Hampton:** Gee, new minister, same failure to answer the question. Well, Minister, you should know there are 443,000 children living in poverty under your government—one in six children—and you should know that the McGuinty government claws back from the poorest of those children \$1,500 a year. That's money that could have gone for clothing; it's money that could have gone for food. I want to ask the minister this: Can you tell these families in Ontario who are struggling on very low incomes, before the 2003 election how did Dalton McGuinty describe the clawback of the national child benefit supplement and what did Dalton McGuinty promise to do about that clawback?

**Hon. Mrs. Meilleur:** Like I said, there are too many children who live under the poverty line, and we have already started to do all we can to help these children. As the member knows, we have stopped the increase in the clawback. We have stopped that. It represents an additional \$56 million in the system to help these children. We know that when there are parents in need, there are children in need. So these savings to the parents will go, I'm sure, toward helping their children.

We are also investing in programs that will help people move off welfare and go back into the workforce. We have also increased the—

**The Speaker:** Thank you. Final supplementary.

**Mr. Hampton:** It's truly amazing: a new minister and the same failure to answer the question. The question was, what did Dalton McGuinty say about the clawback?

He said, "The clawback is wrong." What did Dalton McGuinty promise to do about the clawback? He said, "We will end it." But three years into the McGuinty government, the clawback continues. Dalton McGuinty hasn't ended it and your predecessor didn't end it. It now means that you are the minister who is responsible for taking \$1,500 a year out of the pockets of the poorest kids in this province. My question is this: When will you end the clawback of the national child benefit supplement from Ontario's poorest children? When will you, as minister, keep the promise that Dalton McGuinty made and has so far broken?

**Hon. Mrs. Meilleur:** I would like to remind the leader of the third party that under his tenure as one of the ministers in cabinet, one in five children were on social assistance—one in five. What we have been doing, and will continue to do—we know there are too many children who live in a very critical situation. We are helping the parents by increasing social benefits by 5%. That will go a long way. Also, there is a lot of money that has been reinvested in children's programs and will help them to have a better life. We know that we need to continue to do more, and that's what we are going to do.

**The Speaker:** New question.

**Mr. Hampton:** To the Minister of Community and Social Services, you're doing your best to cloud the issue, but the reality is this: The federal government makes this money available for those poorest kids and their families. You, the McGuinty government, take that money away from the poorest kids and their families. That's the issue. Let me tell you, the Daily Bread Food Bank, the Toronto Disaster Relief Committee, the Ontario Public Health Association, the Ontario Coalition for Better Child Care and the Elementary Teachers' Federation of Ontario all agree the clawback is wrong, that the McGuinty government should keep its promise and the McGuinty government should end it.

My question is this: When is the McGuinty government going to keep its promise? When are you going to listen? When are you going to stop clawing back \$1,500 a year from the poorest kids in Ontario?

**Hon. Mrs. Meilleur:** I just wanted to remind the leader of the third party that the money, the savings from this supplement, goes towards a variety of services that go to children, for example, Healthy Babies, Healthy Children—this is the money that goes towards that—Ontario child care supplement for working families, children's mental health programs and children's treatment centres. I also want to remind the leader of the third party that since we came into power, the number of social assistance recipients who have children has declined by 15%, so this is a good track record that we have.

**Mr. Hampton:** You try to say that this money is being used for something else. Well, if you want to talk about other money, the McGuinty government had a \$3-billion windfall of new revenue last year. At the same time you were telling these people, these families, that there was no money, you had \$3 billion of new revenue that was unaccounted for. You could have done something for these families, for these poorest of kids.



I want to quote from the Anglican bishop of Toronto. He says, "How can the government give you money with one hand, and take it away with the other? There is absolutely no need for anyone to endure these hardships. Let's end child poverty. And let's start by ending the clawback."

You have the money. You had a \$3-billion budget windfall last year. You'll have even more money this year. When is the McGuinty government going to keep its promise and stop taking \$1,500 a year away from the poorest kids in Ontario?

**Hon. Mrs. Meilleur:** I don't think we could take any lessons from that party, who left this province with a historic deficit. I want to tell him also that when there is a surplus, it's one-time revenue, and to put in place a permanent expenditure—we cannot do that. What we have decided to do is invest in a one-time situation. We have also invested in education and health care, and I think this has a direct effect on our children. We are the first province in Canada to fund insulin pumps for children, and we are going to proceed with 14,000 child care spaces. Those serve the interests of children.

**Mr. Hampton:** Minister, you don't seem to get it. This is not your money; this is not the McGuinty government's money. This is money the federal government provides to these poorest children in Ontario. You have no right to take this money away from those kids. Moreover, with a \$3-billion revenue surplus, you have no need to take this money away from those kids.

Let me put it to you from the perspective of some of the mothers. This is Sharon, who writes from Toronto: "Stop breaking your promises...." Amalia from Oakville: "Be honest, help those who really need it!" Cristina from Toronto: "Stop taking money from these poorest of all children. It's wrong."

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This is not your money. This is federal government money that was given to these poorest of children. Why do you continue to take \$1,500 a year from the poorest children when you have a \$3-billion revenue surplus of your own?

**The Speaker:** The question has been asked.

**Hon. Mrs. Meilleur:** I'm going to repeat to the leader of the third party what we have done with that money. We have invested in Healthy Babies, Healthy Children, the Ontario child care supplement for working families, children's mental health programs and children's treatment centres. That's where we have invested the money. It benefits the children. We're not about to remove the money from these well-deserved organizations and causes. We know we need to do more. We will continue to do more, and this government is the government to do that.

#### FAMILY HEALTH TEAMS

**Mrs. Elizabeth Witmer (Kitchener–Waterloo):** My question is for the Minister of Health. As I said at the outset, our party does support family health teams, and

we were very proud in government to have launched this new delivery of primary care in conjunction with the Ontario Medical Association. However, we have now heard from the Ontario Medical Association that they have some concerns about the present model. In fact, they have indicated that there is a serious imbalance.

We know that patients who are going to eventually belong to a family health team will have free access to services such as physiotherapy, diabetes management and health education. But they are concerned that other patients, obviously—the other 12 million or so—are not going to have equal access to those services, so we have a two-tiered structure. My question is, how do you plan to ensure that all Ontarians have equal access to all those services right now?

**Hon. George Smitherman (Minister of Health and Long-Term Care):** First off, it's very important to state that referencing any differential in care that might be available to Ontarians as "two-tier," when the phrase was invented to describe the idea that those with additional resources would pay for access on a different basis, is a misappropriation of the phrase. For consistency in the debate on health care, I think, as a minimum, that the honourable member should respect that.

I found it interesting that in her five-minute response to our family health team initiative, she first said that this initiative is just a rebranded continuance of a Conservative program, and then in the next deep breath she suggested that we were instituting some kind of care that was, to use her phrase, "two-tiered."

The real point here is that not all people in the province of Ontario require diabetes management; it is most particularly beneficial to those people who have diabetes. Accordingly we need to have a health care system that is able to respond to the health needs of the population. My needs as a person are different than those of somebody with diabetes. It's appropriate that we would rally resources to assist them because their needs are much greater.

**The Speaker (Hon. Michael A. Brown):** Thank you. Supplementary.

**Mrs. Witmer:** I would remind the minister that the reference to "two-tier" was not my words. They are the words of Dr. Greg Flynn, president of the OMA, who points out that the people who will be in the FHT model will have free access to services, such as what I said: physiotherapy, health education, diabetes management etc. The other almost 12 million will not have this equal access and will have to pay out of pocket, because one of the things this government did, despite the fact that they're charging people the health tax, was delist physiotherapy, optometry services and chiropractic. So the OMA is telling you there is this unequal access. I'm asking you today, on behalf of people in this province, how can you ensure that everybody will have free access to the same services?

**Hon. Mr. Smitherman:** What the honourable member, apparently now only as a voice through for the Ontario Medical Association, seems to be suggesting is



that we should develop health care at the primary level and deliver it exactly identically to every Ontarian. But the problem is, firstly, it's not sensible from the standpoint of addressing underlying population health needs, as I addressed a moment ago, and it's entirely inconsistent with the member's reputation and actions as a government. They introduced a model that allowed doctors to have nurses work alongside them, but not all doctors chose to identify with that model. So you created this two-tiered thing that you're now a critic of. I'd like to ask the honourable member, why was that? Why did you tolerate community health centres being in operation on your watch? Because they offered a more diversified array of care to the patients who got care there; precisely because you recognized that the more we can do to enhance the interdisciplinary approach, to provide broader, more comprehensive care, the better. Accordingly, we've made an awfully good start, fulfilling earlier our commitment to build 150 family health teams, care for 2.5 million Ontarians and—

**The Speaker:** Thank you. New question?

#### DUFFERIN-PEEL CATHOLIC DISTRICT SCHOOL BOARD

**Mr. Rosario Marchese (Trinity-Spadina):** My question is to the Minister of Education, and before I ask it, I want to congratulate her on her new portfolio.

Minister, yesterday you insisted that the Dufferin-Peel Catholic board has enough money to meet its needs and deal with its \$15-million deficit. But you're demanding that the board increase class sizes, fire vice-principals, scrap adult education and cut over \$2 million from their reading recovery program for young children—something your former minister was proud of, and your Premier—and more. If funding is adequate, why do students have to lose these programs?

**Hon. Sandra Pupatello (Minister of Education, minister responsible for women's issues):** I think it's fair to say that the board should have an opportunity to look at the report that the individuals who went to the Dufferin-Peel Catholic board reported and recommended. These individuals weren't the old-style auditors the last government sent in. These are educators who went to this board, who know education and had a good look at the books, and they had lots of conversation.

There is some kind of a variance and it looks like it's around a \$10-million total here. We don't know for certain, but it's suggesting that there is some work to do on the board's part that does not affect children in the classroom, that perhaps some work needs to be done.

I am prepared to work with this board to see that that in fact happens. I think that's the right thing to do. There has been more money in education than we have seen since the 1960s. We expect the board to be accountable for that. Likewise, we have to be prepared to sit and work with the board to achieve results for kids.

**Mr. Marchese:** And I say issuing ultimatums and demanding cutbacks is a funny way of working with

trustees. By the way, the investigator you know so well says the following, "We find that the board was right when it said that there are funding inadequacies in the areas of salaries and transportation."

You keep insisting the funding is wonderful, but what you're calling for are cuts, cuts and more cuts. Trustees won't do that. They're putting children first. Are you going to listen to trustees, to boards and parents who say that the funding formula is not meeting student needs or are you going to inflict more damaging program cuts?

**Hon. Ms. Pupatello:** I think it's fair to say that this government has never been about program cuts and we're not about to start now. We in this government are about public education and the proof, to the member opposite, is in fact the results that we are achieving for kids in a short two and a half years.

The conversation that I had with the chair of this board today tells me that we will have a working relationship to resolve this. I anticipate working with Mr. Ferreira and his colleague trustees. I can tell you that while it was just a telephone call today, I expect to work with him and, likewise, he expects to work with me. We are committed to resolving this problem for the children in this board. I have given him my word we will work out our differences and we will do it in the best interests of children.

#### RENT BANK PROGRAM

**Mr. Peter Fonseca (Mississauga East):** My question is for the Minister of Municipal Affairs and Housing. Minister, affordable and secure housing is fundamental to the well-being, vitality and strength of Ontario families and the communities that they live in. Low-income Ontario tenants who, due to an emergency or other unforeseen circumstances, are in short-term arrears should not be facing evictions. For this reason, our government established the province-wide rent bank in 2004.

I have constituents in my riding who have experienced such difficult situations. They've benefited from this short-term assistance that the rent bank has provided. They've been spared the potential loss of their home because of a temporary crisis that arose in their life. Minister, given the success of this program, please explain what role the province-wide rent bank can play in keeping Ontarians, who require financial assistance to address short-term rent arrears, in their homes and prevent evictions and homelessness.

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**Hon. John Gerretsen (Minister of Municipal Affairs and Housing):** I'd like to thank the member for the question, because indeed our rent bank program, over the last two and a half years, has been extremely successful. The original \$10 million that was provided to all the 47 service providers around this province, in effect, so far, to date, has helped at least 4,100 families and individuals stay in their homes when they were faced with short-term emergency situations, when they simply weren't able to pay the rent because of health circumstances, maybe a job loss and what have you.



Each one of the rent banks has their own criteria. The additional \$4 million I announced the other day will help top up some of the rent banks. An application is simply made by the tenant to the local rent bank, and that rent bank can help that individual in an emergency situation for up to two months' rent. In some cases, they're loans; in some cases, they're grants. The bottom line is this: The program has worked extremely well and has helped over 4,000 families and individuals to stay in their own homes who otherwise would have been evicted.

**Mr. Fonseca:** Minister, this past Monday, my community of Peel region received \$248,192 in additional rent bank funding. This funding will go a long way to help low-income tenants in my riding who normally don't have difficulty in paying their rent on time.

Since the rent bank was introduced in 2004, it has provided housing stability to over 4,000 Ontario households. Had it not been for the province-wide rent bank, these households may have become homeless or entered emergency shelters. Seniors who pay their rent on time, but who might be experiencing emergencies at a time of the month, may apply to a local rent bank, as may an individual who pays their monthly rent every first of the month but this month just lost their job. These low-income Ontarians want to stay in their homes. They don't want to become homeless. Minister, please explain—

**The Speaker (Hon. Michael A. Brown):** Thank you. The question has been asked.

**Hon. Mr. Gerretsen:** I would certainly like to thank the member from Mississauga, who I know is very much concerned about this program. He's very enthusiastic about it, and besides, he's doing a heck of a good job for the people he represents in Mississauga.

Certainly one of the things government should be all about is to help those low-income earners and low-income tenants who face difficulties from time to time. What's so amazing about this particular program is that we did not set up a separate administrative structure for this program, but we're working with a lot of the local rent banks that were already operating. We're basically giving them the funding so that thousands of individuals who are involved in emergency situations can be helped. As it has in the past, undoubtedly the \$4 million will help many of these individuals in future as well. This is in addition to our affordable housing program, our rent supplement program and the housing allowance program, which are being run right now through the service managers throughout this province.

#### DUFFERIN-PEEL CATHOLIC DISTRICT SCHOOL BOARD

**Mr. Frank Klees (Oak Ridges):** My question is to the Minister of Education. Minister, in the short time that you've had your briefings, I'm assuming that by now you're coming to understand that the warnings we were putting out about the multi-million dollars of deficits that school boards across the province will be facing this

coming fiscal year are a serious issue for your government.

The report that was given to you relating to the Dufferin-Peel Catholic District School Board confirms that. You've had a chance to read the report. It absolutely confirms that you have a serious problem. The report refers to it as the salary gap in the multi-millions of dollars between the contracts that were signed and the funding that's available. Can you tell us what it is you are going to do to address this salary gap that this report urges you as a government to address immediately?

**Hon. Sandra Pupatello (Minister of Education, minister responsible for women's issues):** I'll take this opportunity to thank the member opposite for his kind remarks that he made yesterday after my appointment. I'll enjoy it while it lasts, apparently, as well.

I do want to tell you that I am aware that there have been some boards that have made a variety of comments as they relate to the funding formula. I think this is a critical issue. Board trustees and chairs have as much at stake as the government to see that they do well by our children. I think the boards can look at what our behaviour has been as a government to understand that we intend to work with them as partners to deliver for our kids. That's what our job is. The entire Ministry of Education is determined to do this for children, and we will do this. I think we'll look at the historical two and a half years that we've been the government and we will say that, yes, we need to focus our funding on these results. Every parent will agree that these results are the right thing, and we anticipate working with these boards to resolve our issues to get to those results.

**Mr. Klees:** In your previous response to the member from Trinity-Spadina, you said, "Our government is not about program cuts, and we're not about to start now." This report, relating to Dufferin-Peel, recommends in fact cutting \$930,000 from continuing education. It also suggests that the reading recovery program be cut back to the tune of \$1.9 million. Can you stand in your place today and assure the Dufferin-Peel Catholic District School Board that neither of these important programs will be cut?

**Hon. Ms. Pupatello:** We are prepared to work with the Dufferin-Peel Catholic board to resolve these issues, but we will resolve the issues in order for us to achieve the results we're looking for in education. I think that's fair. If we have a school board whose enrolment has gone up by 3% and whose funding has gone up by 19%, then it's perfectly reasonable to expect that the board will be in a healthy shape to achieve results that parents are looking for for their kids. We're all on the same page here; we're all on the same side of doing this for children. I anticipate that in this particular instance, we will have some vigorous discussion with the board to organize how we're going to do this.

I will tell you, though, that we are hearing lots of stories about great successes with boards achieving what they need to achieve financially but meeting the goals that we've set out for them. There is real success in education, and that is a more tremendous change in



attitude and atmosphere than ever existed, even three years ago. We are proud of our government's record on that.

### LONG-TERM CARE

**Ms. Shelley Martel (Nickel Belt):** I have a question to the Minister of Health. Last Friday I was pleased to accept hundreds of petitions from residents and family council members from five long-term-care homes in Sudbury and area. The message was clear: They want your government to add \$306 million to the operating budgets of Ontario's long-term-care homes. That way, more staff can be hired and residents can receive 20 minutes more of hands-on care per day.

Minister, your government had a \$3-billion windfall in this last fiscal year. Why didn't you add \$306 million to the operating budgets of these homes so that these residents can get more care?

**Hon. George Smitherman (Minister of Health and Long-Term Care):** It's always good, rare as they've become of late, to get a question from the honourable member, and to see one more time, on such vibrant display in this place, the honourable member's pure amnesia from her days in government. After all, I think that her ministerial career is best represented by the reduction in the ministry that she oversaw—northern development, I think it was—from \$350 million to \$200 million. Now she stands before me and says, "Well, why not more resources?"

The reality is that with respect to long-term care, we have made tremendously significant investments, both in expanding the size of our long-term-care system and in enhancing the capacity within it to care for many of our society's most vulnerable. In addition to that, we've worked very, very hard to alter the culture in long-term care to make it more community- and home-like, and to make sure that our loved ones there are supported with appropriate compliance and investigation of concerns. Accordingly, while I acknowledge that there is more work to do, as is always the case in health care, we've made tremendous strides, and we're proud—

**The Speaker (Hon. Michael A. Brown):** Supplementary?

**Ms. Martel:** If things are so much better, why did Karen Sullivan, executive director of the Ontario Long Term Care Association, say on April 3, "It is clear that both families and residents strongly disagree with any perception that government has addressed long-term-care service levels and that, for them, this is an issue of care, respect and dignity for those who built this province." Or from Donna Rubin, CEO of the Ontario Association of Non-Profit Homes and Services for Seniors, who said on March 23 that despite a Liberal election promise to provide an additional \$6,000 in care for every resident, after three budgets, the Liberals have only provided \$2,000 in additional care for every resident. Not only that, but the Liberals in the last election promised to reinstate a minimum 2.25 hours of hands-on care per

resident, per day. The government hasn't done that either. In fact, there's no standard in place with respect to how many hours of care a resident receives daily.

Minister, in light of the \$3-billion windfall that you had, why didn't you keep your election promise and fund long-term-care homes with \$306 million in operating funds?

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**Hon. Mr. Smitherman:** The honourable member asked a question at the beginning: "Why did these people say that?" Because it's their responsibility; their daily responsibility is to operate for those associations. We recognize that. They're important partners and we work very closely with them. If we were to look at the whole breadth of the initiative with respect to long-term care, there would be plenty of acknowledgement, as the Premier and I have both attended events with them where they have acknowledged the tremendous strides that we've taken to really drive a new culture into our long-term-care system.

Associated with that, it's only the honourable member, with her amnesia appropriately intact, who could forget that we made a \$200-million investment in enhancing the quality of care for individuals. This included the hiring of about 2,000 care providers in long-term care.

I do want to say in answer to the honourable member that we acknowledge, of course, that long-term care is a crucial priority. That's why each and every year that we've been in office, hundreds of millions of additional dollars have gone to support this service for Ontario's—

**The Speaker:** Thank you. New question?

### DEFIBRILLATION EQUIPMENT

**Mr. Bruce Crozier (Essex):** My question is for the Minister of Government Services. I know that the external heart defibrillators that are available in the public have saved lives. For example, Jiri Fisher, a player for the Detroit Red Wings, had his life saved by an external heart defibrillator during a hockey game this past year. Windsor resident Nick Stoyshin is alive today thanks to an external heart defibrillator that was in his company of 30 people. His two children used this heart defibrillator to save his life. It's my hope that we have heart defibrillators available all across Ontario for similar life-saving situations.

My bill, the Heart Defibrillator Use Civil Liability Act, was passed at second reading this morning. Minister, does the government also encourage the availability of defibrillators in public and private buildings?

**Hon. Gerry Phillips (Minister of Government Services):** I thank the member from Essex for the question and for his bill, which I think will be very helpful. We do encourage the use of defibrillators. We have been systematically moving forward on a program to install them in government buildings.

This gives me an opportunity to point out a couple of the benefits. A few months ago, a man had a heart attack in the Macdonald block. Four of our OPP security people



sprung into action, used the defibrillator and, that man will tell you today, they saved his life. A few months later—

*Applause.*

**Hon. Mr. Phillips:** A salute to our OPP.

Three months later, a woman, again in Macdonald block, had a heart attack. The defibrillator was used and that individual's life was saved. So the quick answer is, they are making a difference, and we are very much supportive of them.

**Mr. Crozier:** It is obvious, then, that these defibrillators do save lives. As a matter of fact, one those employees, Kathy Hall, was here this morning to support my bill. I was pleased to have her here, obviously for more reasons than one.

As I said, it's my hope to see heart defibrillators more prominent, more prevalent throughout government buildings. Minister, could you explain what the government has done so far when it comes to access to external heart defibrillators and what you intend to do in placing defibrillators throughout Ontario's public buildings?

**Hon. Mr. Phillips:** I think the public can appreciate that there's a training part of this as well that is important. In the two instances I cited, both cases are OPP security people who were trained in the use of it. So we are proceeding with a systematic plan to make sure our training matches it.

Our next phase this year, our plan, is for at least another 250 of these defibrillators to be installed across the province: in the OPP headquarters, in Guelph, in Peterborough, but in our major buildings across the province we are committed over the next few months to another 250 defibrillators and the training necessary to make sure we have the staff on site to deal with it.

## FAMILY VIOLENCE

**Mr. Cameron Jackson (Burlington):** My question is to the Minister of Community Safety and Correctional Services. On February 2, 2004, Kevin Latimer died three days short of his second birthday. This March 18, Jared Osidacz died. Two weeks later, all three of the Maily children—Jessica, 12; Brandon, 9; Kevin, 6—and their mother died. Their killer had a known record of family violence and abuse.

To comprehend their anger and pain, these are the words of Jared's grandfather: "This man violently and viciously beat my daughter, broke his probation and walked out of a court-ordered anger management program. All of the signs were there. This abusive man should not have been allowed unsupervised access every weekend with my grandson. I blame the system that paid no attention to my daughter's safety concerns. If they had, I believe that my dear grandson Jared would be alive today. Someone needs to hold them accountable."

Minister, you have the authority under the Coroners Act. Will you exercise that authority and call a Coroners Act inquest into these tragic deaths, yes or no?

**Hon. Monte Kwinter (Minister of Community Safety and Correctional Services):** I thank the member

for the question, and my condolences go out to the families who have suffered this incredible tragedy.

I'm sure you know, because this issue has been raised several times in this House over the past couple of years when members have asked me to authorize or direct the Ontario chief coroner to conduct an inquest, that no Solicitor General, and it's covered in the act, has ever directed that to happen. The coroner is a quasi-judicial body. They're independent. They're arm's-length from the ministry. It's up to the chief coroner to make that determination. It is not my role, nor do I expect to exercise that role, to direct the coroner to do that.

**Mr. Jackson:** I would ask the page to deliver a copy of the Coroners Act, not to the minister, who seems completely unaware, but to the Premier. Section 22 of the Coroners Act clearly states that a minister may direct a coroner to hold inquests. That is clearly in the legislation, and I would ask the Premier to have a look at that because his minister seems unaware of it.

As you know, it is mandatory in this province that a criminal who dies in custody is given the automatic right of an inquest. When I checked the chief coroner's website—and I'd like to hand this to the Premier. I checked today on your website. It says that there are 13 mandatory coroner's inquests occurring for 13 criminals who died while in custody. There is one discretionary coroner's inquest called by a coroner for a cross-country skier who was struck by a snowmobile. Do you not, Minister, believe that the children of this province who die at the hands of a state-ordered access to a violent and abusive parent deserve the same mandatory protection—

**The Speaker (Hon. Michael A. Brown):** The question has been asked. Minister.

**Hon. Mr. Kwinter:** The member's absolutely right. There are certain provisions in the Coroners Act that mandate that an individual in the custody of police or the correction facilities must have an inquest if they die while they're in that custody. There's also a provision if someone dies in a mining accident. I should tell you that, notwithstanding that the Coroners Act provides that they may, it has never, ever been exercised. There are many opportunities for the coroner to decide that the events, what is happening, merit an inquest, but notwithstanding that, it is the coroner's decision to determine whether or not an inquest shall be called, and I can tell you, no other Solicitor General prior to my assuming this position has ever done it. I still feel that what we have to do is to allow this arm's-length, professional, independent group to determine whether or not they conduct an inquest.

1510

## CHILD ADVOCATE

**Ms. Andrea Horwath (Hamilton East):** My question is for the Minister of Children and Youth Services. You promised to make Ontario's child advocate a truly independent officer, reporting to this Legislature as opposed to the government, yet you broke that promise. Today, I introduced a bill to make the child advocate



truly independent. I simply want to ask you, will you support my bill?

**Hon. Mary Anne V. Chambers (Minister of Children and Youth Services):** The member from Hamilton East is certainly on the right track, except that we have not broken our promise. We are on the right track, as she is, in terms of seeing the importance of the independence of the child advocate. But beyond that, to suggest that we have broken that promise is, in fact, inaccurate.

**Ms. Horwath:** Minister, I expected you to just say yes. Instead, you continue to break that promise, and you're happy to do so. As it is now, the child advocate remains not independent. She reports to you, through the ministry; she does not report to this Legislature, and you know that. You're not allowing the child advocate to be truly free to speak up for children currently. Minister, the children of Ontario deserve much better than this. What is preventing you today from keeping that promise and supporting my bill to make the child advocate a truly independent officer of this court?

**Hon. Mrs. Chambers:** Given that the member from Hamilton East has put forward this bill, I would have to assume that as we bring our legislation forward, she will be very eager to support that legislation. The province has been very well served by the child advocate, and we have been working really closely with the child advocate to make sure we get this right. So I'm looking forward to all-party support of this very important legislation when it comes forward.

#### LOCAL HEALTH INTEGRATION NETWORKS

**Mr. Ted McMeekin (Ancaster–Dundas–Flamborough–Aldershot):** My constituents are very fortunate people. They not only live in the most beautiful riding in the province, but they have a wide variety of organizations which provide high-quality health care and a provincial government that is committed to the important task of coordinating effectively and appropriately those health care services. As a former chairman of the Hamilton–Wentworth public health and community services committee, I know just how important the coordination of high-quality services is. I'm wondering, Mr. Minister, can you share with my constituents what steps are being taken to ensure that their voices will be heard through the new LHIN system?

**Hon. George Smitherman (Minister of Health and Long-Term Care):** We're very proud of the member from Ancaster–Dundas–Flamborough–Aldershot for his tremendous work. We know that his roots are in community. That's why we've been so proud of assembling a group of people to serve on local health integration networks who, if you look at all of their resumé's, as the committee has had the privilege of doing, you will see have a tremendous commitment to community. In fact, the chair of the LHIN in the honourable member's area is a woman named Juanita Gledhill.

Community involvement stands very strong. We believe fundamentally that the health care system which belongs to the people of Ontario needs to come under more of their influence. We need to open up their opportunities to influence it and offer their views on how it can be enhanced. We're working very hard with local health integration networks to create the capacity for community conversation and decision-making, with a view towards doing a better job of having all of our health care service providers work together to the benefit of patients in those areas.

**Mr. McMeekin:** It's great to see just how active the LHIN is in our area. I know my constituents will, of course, benefit from the enhanced integration of high-quality services. But I want to know, with the passing of Bill 36 and with LHINs taking on such an important role in determining how health care dollars will be spent—that's going to involve some \$20 billion across the province. That's an important responsibility. Minister, could you please explain to the people living in my riding just how our government will continue to be held accountable to taxpayers while ensuring that health care spending continues to remain transparent?

**Hon. Mr. Smitherman:** This is a fundamental point, if we go back to the discussion that ensued around Bill 36. Some honourable members opposite wanted to make the suggestion that we were trying to duck accountability. Quite the contrary; we have remained committed to the understanding that on the date of the next election, October 4, 2007, and we say so proudly, the people of Ontario will be asked to offer their view on the performance of our government as it relates to the enhancements to public services.

We've also worked hard to change the way that the Ministry of Health operates, to turn it on its side and get it away from the siloed thinking which has really been there for decades. The Ministry of Health is in the position of moving to a higher plain, to operate on a more strategic basis, to provide better leadership and longer-term horizons while we ask people from the local community to embrace the responsibilities and challenges of doing a better job of weaving together these various health care services that we have. By being more strategic at head office and asking people from the local community to exercise important judgments about local priorities, we will build for the people of Ontario a better health care system.

#### HOSPITAL FUNDING

**Mr. Ted Arnott (Waterloo–Wellington):** My question is for the Minister of Health and Long-Term Care. Tonight, I'm going to be attending the Centre Wellington Chamber of Commerce dinner in Fergus, and I know the people of Fergus are going to be asking me why it's taking the government two years to approve the redevelopment plan for the Groves Memorial Community Hospital so that that important project can move forward to the benefit of my constituents. I would ask the



minister, why is it taking two years for him to give approval so that we can move forward to the next stage of planning?

**Mr. John Yakabuski (Renfrew–Nipissing–Pembroke):** Give him good news for that meeting.

**Hon. George Smitherman (Minister of Health and Long-Term Care):** Oh, there's the gentleman who proposes not to ever heckle, but we won't rat him out to Mr. Tory.

The story in the honourable member's community is a very simple one. It's a sad story, regrettably, that's been repeated in too many other places in Ontario, related to his party's desire in the dying days of their role in government to promise many things to people and to back those up with what are described, at best, as rubber cheques. Accordingly, we ended up with an infrastructure deficit.

I'm pleased that my colleague the Minister of Public Infrastructure Renewal, working with our ministry and inside the government, has been able to make an investment in health care that will see our government invest more in health care infrastructure than the last five governments of Ontario combined.

We have more work to do. This has not meant every project has moved forward, but we are in the midst of a \$5-billion reinvestment in health care infrastructure that is going to produce tremendous results for the patients of Ontario.

**Mr. Arnott:** That was an incredible answer in the sense that it absolutely lacked credibility. Our community has raised \$15 million towards the redevelopment of our hospital. It's my understanding that the minister is now going around the province approving hospital projects for 2008 and 2009. I would ask him again, why are my constituents waiting more than two years to receive the health care benefits they would receive with that new hospital?

**Hon. Mr. Smitherman:** Again, this is a question that the honourable member would be better advised to save for a Tuesday morning, and go into his own caucus and speak to the honourable member who sits just two seats away from him or the other honourable member just a few more seats to his left. They were health ministers in the government of the day that he was proud to play a role in. Regrettably, like on the energy file and so many others, while important things went on, like clock-ticking, they did nothing. Towards the end of their mandate they ran around Ontario and created expectations in one community after the other.

We have worked hard to build on those expectations, to meet them and to be partners with communities. We are the first to acknowledge that while we have made tremendous progress—more investment than the last five governments combined—we have more work to do. We recognize the strong support that exists in the honourable member's community. We will continue to work with them until such time as we can move forward there. But the real answer to the honourable member's question is honestly to be found in his own heart.

1520

## PETITIONS

### LONG-TERM CARE

**Mr. Jim Wilson (Simcoe–Grey):** I have a petition that was sent to me by Marcelle Dube, president of the family council of the Good Samaritan Nursing Home in Alliston, and Lynda Weaver, the administrator of the Good Samaritan Nursing Home, and it reads as follows:

“To the Legislative Assembly of Ontario:

“Whereas long-term-care funding levels are too low to enable homes to provide the care and services our aging seniors and parents who are residents of long-term-care homes need, with the respect and dignity that they deserve; and

“Whereas, even with recent funding increases and a dedicated staff who do more than their best, there is still not enough time available to provide the care residents need. For example, 10 minutes, and sometimes less, is simply not enough time to assist a resident to get up, dressed, to the bathroom and then to the dining room for breakfast; and

“Whereas those unacceptable care and service levels are now at risk of declining;

“We, the undersigned, who are members of family councils, residents' councils and/or supporters of long-term care in Ontario, petition the Legislative Assembly of Ontario to increase operating funding to long-term-care homes by \$306.6 million, which will allow the hiring of more staff to provide an additional 20 minutes of care per resident per day over the next two years (2006 and 2007).”

I appreciate the intentions of the good folks at the Good Samaritan Nursing Home in Alliston, and I agree with the petition.

**Ms. Shelley Martel (Nickel Belt):** I have a petition that's been signed by hundreds of residents, and family and resident council members at Extendicare/Falconbridge, and I'd like to thank Adrienne Lemieux for organizing this petition drive. It read as follows:

“To the Legislative Assembly of Ontario:

“Whereas long-term-care funding levels are too low to enable homes to provide the care and services our aging seniors and parents who are residents of long-term-care homes need, with the respect and dignity they deserve; and

“Whereas, even with recent funding increases and a dedicated staff who do more than their best, there is still not enough time available to provide the care residents need. For example, 10 minutes, and sometimes less, is simply not enough time to assist a resident to get up, dressed, to the bathroom and then to the dining room for breakfast; and

“Whereas those unacceptable care and service levels are now at risk of declining;

"We, the undersigned, who are members of family councils, residents' councils and/or supporters of long-term care in Ontario, petition the Legislative Assembly of Ontario to increase operating funding to long-term-care homes by \$306.6 million, which will allow the hiring of more staff to provide an additional 20 minutes of care per resident per day over the next two years."

I agree with the petitioners and I have affixed my signature to this.

### COMMUNITY MEDIATION

**Mr. Bob Delaney (Mississauga West):** I have a petition here, and I'd like to thank Paula Arruda and Lisa Ge for having collected some signatures on it. It's to the Ontario Legislative Assembly and it reads as follows:

"Whereas many types of civil disputes may be resolved through community mediation delivered by trained mediators, who are volunteers who work with the parties in the dispute; and

"Whereas Inter-Cultural Neighbourhood Social Services established the Peel Community Mediation Service in 1999 with support from the government of Ontario through the Trillium Foundation, the Rotary Club of Mississauga West and the United Way of Peel, and has proven the viability and success of community mediation; and

"Whereas the city of Mississauga and the town of Caledon have endorsed the Peel Community Mediation Service, and law enforcement bodies refer many cases to the Peel Community Mediation Service as an alternative to a court dispute; and

"Whereas court facilities and court time are both scarce and expensive, the cost of community mediation is very small and the extra expense incurred for lack of community mediation in Peel region would be much greater than the small annual cost of funding community mediation;

"Be it therefore resolved that the government of Ontario, through the Ministry of the Attorney General, support and fund the ongoing service delivery of the Peel Community Mediation Service through Inter-Cultural Neighbourhood Social Services."

I support this petition and I'm pleased to sign it and to ask page Sharmarke to carry it for me.

### LONG-TERM CARE

**Mr. Norm Miller (Parry Sound-Muskoka):** I have a petition from Leisureworld long-term-care facility in Gravenhurst. It is to the Legislative Assembly of Ontario. It says:

"Whereas long-term-care funding levels are too low to enable homes to provide the care and services our aging seniors and parents who are residents of long-term-care homes need, with the respect and dignity that they deserve; and

"Whereas, even with recent funding increases and a dedicated staff who do more than their best, there is still

not enough time available to provide the care residents need. For example, 10 minutes, and sometimes less, is simply not enough time to assist a resident to get up, dressed, to the bathroom and then to the dining room for breakfast; and

"Whereas those unacceptable care and service levels are now at risk of declining;

"We, the undersigned, who are members of family councils, residents' councils and/or supporters of long-term care in Ontario, petition the Legislative Assembly of Ontario to increase operating funding to long-term-care homes by \$306.6 million, which will allow the hiring of more staff to provide an additional 20 minutes of care per resident per day over the next two years (2006 and 2007)."

I support this petition.

**Ms. Shelley Martel (Nickel Belt):** I am pleased to present a petition that has been signed by hundreds of residents and family and resident council members at Finlandia nursing home in Sudbury, and it reads as follows:

"Whereas long-term-care funding levels are too low to enable homes to provide the care and services our aging seniors and parents who are residents of long-term-care homes need, with the respect and dignity that they deserve; and

"Whereas, even with recent funding increases and a dedicated staff who do more than their best, there is still not enough time available to provide the care residents need. For example, 10 minutes, and sometimes less, is simply not enough time to assist a resident to get up, dressed, to the bathroom and then to the dining room for breakfast; and

"Whereas those unacceptable care and service levels are now at risk of declining;

"We, the undersigned, who are members of family councils, residents' councils and/or supporters of long-term care in Ontario, petition the Legislative Assembly of Ontario to increase operating funding to long-term-care homes by \$306.6 million, which will allow the hiring of more staff to provide an additional 20 minutes of care per resident per day over the next two years (2006 and 2007)."

I'd like to thank Milly Facca and Ann Basha for organizing this petition. I agree with the petitioners and affix my signature to this.

### BORDER SECURITY

**Mr. John Wilkinson (Perth-Middlesex):**

"To the Legislative Assembly of Ontario:

"Whereas the United States government, through the western hemisphere travel initiative, is proposing that American citizens require a passport or single-purpose travel card to travel back and forth across the Canadian border; and

"Whereas a passport or single-purpose travel card would be an added expense, and the inconvenience of



having to apply for and carry a new document would be a barrier to many visitors; and

“Whereas this will mean the loss of up to 3.5 million US visitors in Ontario, losses of \$700 million, and the loss of 7,000 jobs in the Ontario tourism industry by the end of 2008; and

“Whereas many of the northern border states in the United States have expressed similar concerns regarding the substantial economic impact of the implementation of this plan; and

“Whereas the safe and efficient movement of people across the border is vital to the economies of both of our countries;

“Therefore, be it resolved that we, the undersigned, respectfully petition the Legislative Assembly of Ontario to support the establishment of a bi-national group to consider alternatives to the proposed border requirements and inform Prime Minister Harper that his decision not to pursue this issue with the United States is ill-advised.”

I give this to the Premier and sign it.

#### LONG-TERM CARE

**Ms. Laurie Scott (Haliburton–Victoria–Brock):** A petition to the Legislative Assembly of Ontario:

“Whereas long-term-care funding levels are too low to enable homes to provide the care and services our aging seniors and parents who are residents of long-term-care homes need, with the respect and dignity that they deserve; and

“Whereas, even with recent funding increases and a dedicated staff who do more than their best, there is still not enough time available to provide the care residents need. For example, 10 minutes, and sometimes less, is simply not enough time to assist a resident to get up, dressed, to the bathroom and then to the dining room for breakfast; and

“Whereas those unacceptable care and service levels are now at risk of declining;

“We, the undersigned, who are members of family councils, residents’ councils and/or supporters of long-term care in Ontario, petition the Legislative Assembly of Ontario to increase operating funding to long-term-care homes by \$306.6 million, which will allow the hiring of more staff to provide an additional 20 minutes of care per resident per day over the next two years (2006 and 2007).”

I thank all the long-term-care centres in the riding of Haliburton–Victoria–Brock for bringing me the petitions, and I’ll pass it to page McKenzie.

#### BORDER SECURITY

**Ms. Kathleen O. Wynne (Don Valley West):** “To the Legislative Assembly of Ontario:

“Whereas the United States government, through the western hemisphere travel initiative, is proposing that American citizens require a passport or single-purpose

travel card to travel back and forth across the Canadian border; and

“Whereas a passport or single-purpose travel card would be an added expense, and the inconvenience of having to apply for and carry a new document would be a barrier to many visitors; and

“Whereas this will mean the loss of up to 3.5 million US visitors in Ontario, losses of \$700 million, and the loss of 7,000 jobs in the Ontario tourism industry by the end of 2008; and

“Whereas many of the northern border states in the United States have expressed similar concerns regarding the substantial economic impact of the implementation of this plan; and

“Whereas the safe and efficient movement of people across the border is vital to the economies of both of our countries;

“Therefore, be it resolved that we, the undersigned, respectfully petition the Legislative Assembly of Ontario to support the establishment of a bi-national group to consider alternatives to the proposed border requirements and inform Prime Minister Harper that his decision not to pursue this issue with the United States is ill-advised.”

I completely agree with this petition, and I affix my signature. Leah is going to bring it to the table.

1530

#### LONG-TERM CARE

**Mr. Norm Miller (Parry Sound–Muskoka):** I have a petition from Fairvern long-term-care home in Huntsville. It’s to the Legislative Assembly of Ontario. It says:

“We, the undersigned, who are members of family councils, residents’ councils and/or supporters of long-term care in Ontario, petition the Legislative Assembly of Ontario to increase operating funding to long-term-care homes by \$306.6 million, which will allow the hiring of more staff to provide an additional 20 minutes of care per resident per day over the next two years (2006 and 2007).”

I support this petition.

**Mr. Ted McMeekin (Ancaster–Dundas–Flamborough–Aldershot):** I have a petition signed by about 100 long-term-care residents and addressed to the Legislative Assembly, which reads:

“Whereas long-term-care funding levels are too low to enable homes to provide the care and services our aging seniors and parents who are residents of long-term-care homes need, with the respect and dignity that they deserve; and

“Whereas, even with recent funding increases and a dedicated staff who do more than their best, there is still not enough time available ...; and

“Whereas those unacceptable care and service levels are now at risk of declining;

“We, the undersigned ... members of family councils, residents’ councils and/or supporters of long-term care in Ontario, petition the Legislative Assembly of Ontario to

increase operating funding to long-term-care homes by \$306.6 million, which will allow the hiring of more staff to provide an additional 20 minutes of care per resident ... over the next two years (2006 and 2007)."

That was signed by some 100 or so folks. Along with it came a letter of thanks to the Minister of Health and Long-Term Care for the provision of monies and services to date.

**Mr. Ted Arnott (Waterloo–Wellington):** I have a petition to the Legislative Assembly of Ontario, and it reads as follows:

"Whereas long-term-care funding levels are too low to enable homes to provide the care and services our aging seniors and parents who are residents of long-term-care homes need, with the respect and dignity that they deserve; and

"Whereas, even with recent funding increases and a dedicated staff who do more than their best, there is still not enough time available to provide the care residents need. For example, 10 minutes, and sometimes less, is simply not enough time to assist a resident to get up, dressed, to the bathroom and then to the dining room for breakfast; and

"Whereas those unacceptable care and service levels are now at risk of declining;

"We, the undersigned, who are members of family councils, residents' councils and/or supporters of long-term care in Ontario, petition the Legislative Assembly of Ontario to increase operating funding to long-term-care homes by \$306.6 million, which will allow the hiring of more staff to provide an additional 20 minutes of care per resident per day over the next two years (2006 and 2007)."

This comes from Leisure World in Elmira. Of course, it has my support.

**Mr. Phil McNeely (Ottawa–Orléans):** I have a petition from about 175 people from the riding of Minister Watson.

"We, the undersigned, who are members of family councils, residents' councils and/or supporters of long-term care in Ontario, petition the Legislative Assembly of Ontario to increase operating funding to long-term-care homes by \$306.6 million, which will allow the hiring of more staff to provide an additional 20 minutes of care per resident per day over the next two years (2006 and 2007)."

I'll sign that and send it up with Raelene.

#### LESLIE M. FROST CENTRE

**Ms. Laurie Scott (Haliburton–Victoria–Brock):** "Recommendations for the Frost Centre

"To the Legislative Assembly of Ontario:

"Whereas the McGuinty government announced the closure of the Leslie M. Frost Natural Resources Centre in July 2004 with no public consultation; and

"Whereas public outrage over the closure of the Frost Centre caused the government to appoint a working

committee of local residents to examine options for the future of the property; and

"Whereas the working committee has completed their consultations and has prepared recommendations for the provincial government that include a procedure to follow during the request for proposals process; and

"Whereas the Frost Centre has been an important educational resource for the community, and continued use of the facility for educational purposes has widespread support;

"We, the undersigned, petition the Parliament of Ontario as follows:

"The Dalton McGuinty Liberals should retain public ownership of the Frost Centre lands and follow the recommendations of the working committee regarding the request for proposals process."

### ORDERS OF THE DAY

#### EMERGENCY MANAGEMENT STATUTE LAW AMENDMENT ACT, 2006

#### LOI DE 2006 MODIFIANT DES LOIS EN CE QUI A TRAIT À LA GESTION DES SITUATIONS D'URGENCE

Resuming the debate adjourned on March 29, 2006, on the motion for second reading of Bill 56, An Act to amend the Emergency Management Act, the Employment Standards Act, 2000 and the Workplace Safety and Insurance Act, 1997 / Projet de loi 56, Loi modifiant la Loi sur la gestion des situations d'urgence, la Loi de 2000 sur les normes d'emploi et la Loi de 1997 sur la sécurité professionnelle et l'assurance contre les accidents du travail.

**The Speaker (Hon. Michael A. Brown):** The member for Niagara Centre.

**Mr. Peter Kormos (Niagara Centre):** I'm pleased to finally get a chance to participate in this debate. I'm thankful to the members of the House for permitting us to stand down our lead comments. That means I only have an hour. I'm going to do the best I can in that hour to go through this bill and present to the members of this assembly and, more importantly, to the public, who have a very strong interest in this matter, our views about this piece of legislation.

While discussing this bill, you can't help but reflect back to the committee source, Bill 138. I don't know how many members of this Legislative Assembly recall that, because it goes all the way back to the year 2004, and indeed the committee process began on August 3.

I remember oh so well—you see, this was going to be this experiment in backbench participation in the development of policy and legislation. It was going to be bill by committee. I remember the now Minister of the Environment—and I know she's busy; I wish she were here to hear my comments—the member for Etobicoke—



Lakeshore, Laurel Broten, and I remember the member for Willowdale, David Zimmer, and they were excited, they were outright giddy about the prospect of being handed this awesome responsibility by the Premier's office. In fact, the committee elected a chair, the member for Sault Ste. Marie, who didn't chair any one of the committee hearings—and that's fine. The Vice-Chair chaired the hearings, and that was the now Minister of Citizenship, Mr. Colle. So the member for Sault Ste. Marie was taken care of with his \$12,000-plus perk, but he didn't have to come down from Sault Ste. Marie to chair the committee. In fact, Mr. Colle wanted to chair the committee because he wanted the profile that he thought would be made available to him by virtue of the committee process on this bill.

But Ms. Broten and Mr. Zimmer were like two dogs circling. It was incredible. They were just marking turf like mad. It was delightful, as an observer, to watch these two cunning experts at one-upmanship try to outdo one another in the development of Bill 138.

I was a cynic from the get-go. Can you believe it, Minister of Infrastructure Renewal? I was cynical about it from the get-go. I said, "You guys are delusional if you think the Premier is going to let you draft this legislation. This is a sop. He's throwing you a bone. He's funning you. He's playing with you. He's teasing you. He's diverting you."

At the end of the day, Ms. Broten did okay. Mr. Colle did just fine. My good friend the member for Willowdale, who is one of the most talented people in this House, is still cooling his heels—to my chagrin, I'll tell you. I don't want to be overly praiseful of him so as to diminish his prospects with the Premier's office. Perhaps if I stood up here and railed about Mr. Zimmer, his stature might have greater potential for rising with the Premier's office, but I can't do that because I have regard for him.

#### 1540

I remember that committee was actually going to travel, and one obstinate opposition member, with his disinclination for that type of junketeering, threw the wet blanket on that. He didn't make himself very popular, the member for Niagara Centre didn't, by throwing the wet blanket on travel and saying, "Are you guys nuts? Travel? What have you got to travel for?" All the stuff's available in printed word, and what's not available in printed word is available on archival computer digitalized disk. We've got a research department, and the research department worked like the devil. They really did. They were just tremendous in terms of the amount of work. As I go through this pile of paper, I'm going to get a copy of that Bill 138 and tell you who the research people were, because they produced the proverbial—not proverbial—the literal reams of material.

The research officer was Margaret Drent, whom all of us know and who is incredibly capable. And then we had legislative counsel Albert Nigro. I remember some of the confrontations between committee members and Mr. Nigro. I don't know, Speaker, if you had a chance to sit on that committee at all. You would have been delighted.

I'm going to check the committee membership here, because again, I know I was there. There were a lot of new members. Tim Hudak was there for the Tories. Frank Klees was there.

But I remember Mr. Nigro becoming frustrated from time to time because he was being asked to give legal opinion. He had to point out that as counsel—it was good experience for the neophyte members—his job is to draft legislation, not to give legal opinion: "If the committee wants legal opinion, go hire a lawyer." That's the way he put it to them. And then the committee got all excited. They were just jumping up and down, bouncing on all feet, about the prospect of hiring some high-priced Bay Street law firm to give us legal advice.

And I'm saying, "What are you talking about? The Ministry of the Attorney General has lawyers and policy people who are smart people." They're in the sunshine club, the \$100,000-plus club, and deservedly so; as a matter of fact, most of them are probably underpaid. "What are you talking about, going and hiring some Bay Street law firm, high-priced, \$700- or \$800-an-hour lawyers in pinstripe suits?" You know, the ones from Warren K. Cook or places like that, and those expensive Prada kind of shoes from up on Bloor Street, and the big chunky—the gold rings and the expensive colognes and the Waterford crystal tastes. "What are you hiring high-priced Bay Street law firms for? What's the matter with you people? Don't you have more sensibility when it comes to your stewardship of taxpayers' money?"

I don't know how it happened, but somehow the committee wandered around that one and sort of argued it and didn't argue it and talked about, "Well, can we get counsel from somewhere in the Bay Street Attorney General ministry?" What is it? Yes, 720 Bay Street. I think that's the address. As I recall, nobody ended up hiring any high-priced Bay Street lawyers. They did without their little retirement fund contribution from the public purse that round.

The committee process was delightful and fascinating, because you had all these people coming in, many of them pretty smart people with all sorts of insights. And then, finally, we got hold of the draft legislation that the Ministry of the Attorney General had already written. Do you remember that? I said, "What's going on here? We're being duped. We're being had. We're being taken to the cleaners. We're being spun. We're having a number done on us. We're getting the works here," because Ms. Broten and Mr. Zimmer were all excited: "Oh, boy, we're going to write legislation and we're going to make our mark on the history of Queen's Park and the history of emergency management policy and the world." And, yikes, we discover—Mr. Bradley, the government House leader, would be pleased to know this, and of course he's still in the House here today, as we speak—that the Ministry of the Attorney General had already written legislation.

I, notwithstanding the exercise of as much self-control as I've ever been able to muster, went darn near apoplectic; I just about had a hemorrhage right then and



there, on the spot. As a matter of fact, I would have needed defibrillators, had I gone one unit further.

What's this exercise all about? You're telling folks that you've got this august and oh so serious responsibility of drafting legislation. Be honest, guys. It was like those old Mickey Rooney movies where Mickey and Judy get together and say, "Let's put on a play." It was that same level of excitement. It was, "Oh, come on, guys. Let's draft a bill." Then we learn that it was all for naught, because the government already had drafted a bill.

I felt real bad for the government members, especially the now Minister of the Environment, the member for Etobicoke–Lakeshore, as much for the member for Willowdale, and even for the current Minister of Citizenship, the member for Eglinton–Lawrence. I told these guys from the get-go, "You're being conned. This is a make-work project." I said, "Look, at the end of the day, the government is not going to introduce legislation that it hasn't written and vetted past its intimates. It's not going to let a bunch of ragtag backbenchers write policy and concurrent legislation." And do you know what? It didn't.

Poor Bill 138, poor lonely, orphaned Bill 138, poor, abandoned baby Bill 138 is still waiting for adoptive parents, I suppose. I kept asking the government House leader, "When are you going to call Bill 138?" I was its biggest advocate. I was its only advocate. Poor now-Minister of the Environment, member for Etobicoke–Lakeshore; poor now-parliamentary assistant to the Attorney General, member for Willowdale, David Zimmer; poor Mike Colle, who had banked on this—they had. They had banked on this; they had bet the farm. It's like those poor suckers who take the paycheque down to Casino Niagara and then have to explain to their wife, husband, partner or whatever what happened to the paycheque that week because they lost it all. Those slots, Mr. Rinaldi, are a vicious mistress, let me tell you.

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What more could I do for these folks? I tried to salvage their efforts. I tried to tell them from the very outset, from the get-go, from the very beginning, from day one, from minute one, from second one, that this was a waste of everybody's time and effort.

What really took me aback, the point at which I said, "I wash my hands of this sordid exercise," was when the consideration of the information that had been received was going to be heard how? In camera, in secret, behind closed doors, in the proverbial darkness of the night. For a government that preaches transparency and democratic reform, and respect/regard for backbenchers—oops—to then have contemplation of this public process in private, behind closed doors, in camera, in secrecy, in the proverbial dark of the night, to me was just too much.

I've had a few years here, but I just couldn't handle that. I was shocked. I was disappointed. You could hear me shaking my head all the way to the other end of the Queen's Park precinct—you could. I was rattled at the prospect. And however nervous I was about saying it, however hesitant I was to raise my voice in protest, I told

that committee, "I want nothing to do with secret stuff, nothing to do with behind-closed-doors stuff, nothing to do with in camera stuff."

If you've got a committee process writing committee legislation, the very premise is that it's public. You think so too, don't you? Of course you do. Any reasonable person agrees with that proposition. It appears that the only people who were being unreasonable in this exercise were the bosses, the capos in the Premier's office, who were sending the marching orders to the Liberal majority on the committee. As it was, after who knows how many hours of secret deliberations, Bill 138 was produced.

The ego-stroking was incredible: "Oh, come on, guys. You get to put your name on the bill as a sponsor if you play ball." Have you ever been there, Mr. Arnott? What a lure: "We'll let you put your name on the bill as a sponsor." For Pete's sake.

What have we got? In fact, he sits here, as I speak. I hope he hasn't forgotten his sponsorship of Bill 138. Here it is in print: the member for, not Etobicoke–Lakeshore, but Etobicoke–Lakeshore's close neighbour, the member for Etobicoke North, one Shafiq Qaadri, as it says on the Legislative Assembly précis, the short version of Bill 138—and then, as primary sponsor. Wow. I can just hear the conversation: "Hey, Shafiq. Come here. Closer. Don't tell anybody. We're going to let you be the primary sponsor. Oh, yeah."

Look, for a tyro member it had some appeal, especially when people were being told, "Don't worry. The bill will go through the process, be on the order paper and eventually be called." Who are the secondary sponsors? They ain't here: Wayne Arthurs, Laurel Broten, Jim Brownell, Liz Sandals, John Wilkinson and David Zimmer. I say to these members, what happened to their bill? What happened to the confidence that the Premier's office had in their ability to draft powerful, meaningful, relevant new legislation when it came to emergency management?

I recall when the bill was brought to the House. Do you remember, Speaker, when Bill 138 was brought to the House? They were like kids on the first day of school. They were all dressed up—new suits, ties—all prim and proper, hair combed, ready for the class photo, just sitting there straight upright and at attention, proud as peacocks when Bill 138 was read for the first time, sponsored by Shafiq Qaadri, Etobicoke North, as a primary sponsor, and Wayne Arthurs, Laurel Broten, Jim Brownell, Liz Sandals, John Wilkinson and David Zimmer as secondary sponsors. Needless to say, I declined the opportunity to have my name on the front of the bill as a secondary sponsor. I declined the opportunity and, to their credit, the Conservatives appear to have done so as well. I wouldn't have expected anything less from members like Garfield Dunlop and Frank Klees on that committee, two experienced and astute members of—well, they are. They've seen every scam in the book. They've probably been a party to a few of them.

Mr. Arnott, I wouldn't have expected anything less from them, as experienced and competent as they were.



I remember the hearings on Bill 8 when Toronto Chief of Police Julian Fantino, soon to be Commissioner of Emergency Management for the province of Ontario, was making his—he had made them on pit bulls, too, remember? I don't know whether the member for Etobicoke North was there during the pit bull legislation. He may have chaired it, and he will recall the former Toronto chief of police coming in and calling for a ban on pit bulls, and then his rapid ascension to the role of Commissioner of Emergency Management.

One of the most capable Solicitors General, justice ministers, of this province was Roy McMurtry, now chief judge. He displays that competence every time he addresses the opening of the courts, along with other occasions where he has occasion to make comments on the course of justice or the administration of justice in this province, and some of the social issues that face us and confront the justice system.

I was pleased to have library research obtain for me a copy of the discussion paper on proposed emergency planning legislation whose preparation was overseen by then Solicitor General Roy McMurtry in June 1981. It's a very important document. It followed, as did the Grange report, the massive evacuation of people in Mississauga, the notorious train derailment and the chemical toxic crisis that flowed.

These pages have no idea what I'm talking about. It was one of Hazel McCallion's first challenges, as I recall, as mayor. Similarly, as I recall it and as every observer has noted since, it was very competently handled by the mayor, the police forces, the firefighting services, the front-line emergency personnel, the health personnel and so on.

I'm incredibly concerned about this emergency management buzz because, make no mistake about it, the undercurrent of the committee that eventually came forward with Bill 138, although rarely, if ever, articulated, was the 9/11 terrorist attacks on New York City and other places in the United States. One of the issues in this House over the course of the last week, not inappropriately—I come from down in Niagara too; any of us in tourist destination Ontario are sensitive to it—is the tightening of the border, the increased standards for crossing the border.

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The problem is, you can't go around using the terrorist fear as part of your agenda and then somehow argue that—because, you see, that's what gives rise to the American model of, "Oh, you need more stringent standards for the types of documentation that allow people to cross the border"; to wit, a passport.

First of all, let's understand this. It's my view that the Bush proposal is not going to inhibit any purported terrorist from crossing the border. If you're a professional terrorist—dare I call it that?—you're going to have a passport, real or fake. We know that they're obtained easily enough—well, they are—through any number of means, through any number of embassies. Canada has suffered the plight, and I'm sure other countries have as

well, of literally blank passports being stolen. So I think it's delusional to suggest somehow that requiring passports for everybody crossing the border is going to respond to the terrorism fear.

I'm not sure that there isn't a whole lot of Y2K here, whether it's terrorism or whether it's those native, endemic concerns around avian flu or even BSE. We all remember Y2K and the bill of goods that we got sold around Y2K. Boy, did we get taken to the cleaners on that one. I think we better be extremely careful about overreacting to the proposition of catastrophic emergencies. It's not that catastrophic emergencies can't happen; I'm talking about overreacting.

That's why I want to refer, at a couple of points here, to the McMurtry report. I commend it to you. First of all, the observation is made very clearly—don't forget, this was written after Mississauga had dealt with a major evacuation of huge chunks of its population, when there was a very real fear, with rolling clouds of toxic gas, of huge loss of life, and after there was a successful response to it. At the very beginning of the McMurtry report, the discussion paper on the proposed Emergency Plans Act, it says, amongst other things—I think it's very important to put this on the record, and I'll be very brief: "In the past couple of years, events such as the train derailment in Mississauga have stimulated great interest in the subject of emergency preparedness."

I'll leave the text of the report for a minute and just reflect on what's happening now. Here, the McMurtry white paper, I'll call it, the discussion paper, talks about "events such as the train derailment in Mississauga have stimulated great interest in the subject of emergency preparedness." Take it forward 25 years, 26 years, to the current time: The phenomenon of terrorism has provoked and stimulated great interest in the subject of emergency preparedness. The parallels are remarkable. The phenomenon of bovine—the BSE disease.

**Mr. Ted Arnott (Waterloo-Wellington):** Bovine spongiform encephalopathy.

**Mr. Kormos:** Mr. Arnott is right. That means Hansard is going to have to consult him for the specific spelling of the affliction, now that Mr. Arnott's on the record, me having responded to him.

The phenomenon of BSE, the phenomenon of avian flu, the phenomenon of SARS—and I hope I have time, because I want to talk about that. I say, do we ever owe front-line emergency and hospital health professionals a huge debt. It was no thanks—and no disrespect to anybody; nobody didn't take it seriously—to political leadership that more people didn't die from SARS and that SARS didn't spread further than it did. It was those front-line health professionals. That's why one of the serious omissions in this bill before us today is the failure to provide amendments to the Occupational Health and Safety Act—I'm going to get to that in just a few seconds—but in other words, providing tools and mechanisms and resources for those people who have to respond to bona fide crises like SARS, given the tools to



do it in such a way that they can do their job healthfully and safely and effectively.

Back to McMurtry: "There is a growing recognition that disaster can strike anywhere and that planning and preparation are essential." Again, 1979, 2006, the words are as true today as they were then. Back to the text: "Planning for an unknown emergency poses obvious difficulties for the responsible officials, but it is absolutely crucial that response mechanisms be in place. The tragic earthquakes in Italy have apparently been met with a less than adequate response, and it is disturbing to hear charges of bureaucratic confusion, inefficiency and even incompetence.

"Good planning and preparation for emergencies is a practical thing and depends upon the foresight and abilities of the planners. The passing of laws is a secondary matter, but this paper will show that supporting laws can help in clarifying problems and putting the entire issue of emergency preparedness on a firm legal footing."

I want to tell you, it was incredible. During that fraudulent committee hearing around Bill 138, I tried to make that point over and over again, that the passing of laws is a secondary matter, because, and I go back to McMurtry: "Municipalities are on the 'front line' in preparing for emergencies. They have hospital, ambulance, fire and police services available and the initial responsibility for responding to an emergency situation."

You can't talk about emergency management and emergency preparedness without talking about the adequacy of the resourcing and staffing of those municipally based front-line service providers: cops, firefighters, emergency medical response people, nurses, public health departments. At the end of the day, that's what it's all about. It's about what happens down in communities like Welland, Thorold, Pelham, St. Catharines, Port Colborne and Wainfleet, like places where I come from. It's like what happens in Stoney Creek. It's like what happens anywhere along Highway 6, in small, mid- and maybe not-so-mid-sized Ontario. Regardless of what happens here, at the end of the day, that's where emergency management is going to occur. That's why I find it regrettable that we debate this bill without the bill enabling us, by virtue of the absence of provisions around those areas, to debate the adequacy of firefighting services, police services, emergency medical response people, paramedics, ambulances, their personnel, their dispatchers and the staffing of them, the funding of them, and I get back to it again, nurses among others. I will say it again: nurses, among other health professionals, in emergency rooms and in intensive care units and in public health departments.

In one of the debates in committee around Bill 138, dear Alan Borovoy—St. Alan, if he doesn't mind being called St. Alan Borovoy, who has always been an incredibly valuable resource to every government of this province; he's one of our icons. Anybody who disagrees with me can see me outside, I'll tell you that right now. He really is: Alan Borovoy, for years, for as long as I can remember, was an inspiration for people who cared about

fundamental civil liberties. He, I tell you, was surprisingly generous to the government in terms of some of the interventionist powers that it wrote into Bill 138. The Minister of Community Safety will recall that.

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But at the same time, I was incredibly struck by observations made by now Justice McMurtry, then Solicitor General McMurtry, back in 1979. For the assistance of Hansard, page 26 of his discussion paper, under the heading, "Special Powers":

"It is convenient at this point to mention the powers of police and other officials. Some persons feel that the draft bill should grant special powers, for example, authorizing the entry of private property and the commandeering of property in an emergency. The draft bill does not adopt this recommendation. It is felt that existing powers are adequate to deal with emergencies, both large and small."

I leave the text for a minute and I simply want to draw people's attention to this next statement, because it is most telling. Back to the text:

"The responsible officials have the same powers when one building is threatened by fire as when 100 buildings are threatened by fire."

Let's illustrate with an example. When a building is on fire, police and fire officials have the lawful power, depending upon the circumstances, to enter adjoining buildings and search for children and elderly persons and remove them from the situation of danger. By the same token, the police have the power to enter a building from which cries for help are emanating. These special powers are found in the common law, but it should be noted that there are limitations on their exercise.

He goes on to talk about the prospect of forced evacuation, because that's something that's dealt with in this bill before you today. Page 27, with gratitude to Hansard:

"It has been suggested that the draft bill should, for example, codify the power of the police to compel the evacuation of an area in certain emergency situations. This power was lawfully and properly exercised during the emergency in Mississauga. After due consideration, however, we have come to the conclusion that an attempt to codify such powers is not necessary and may perhaps be unwise.... We concur in the following observation made by a learned justice of the Ontario Court of Appeal:

"Police forces exist in municipal, provincial and federal jurisdictions to exercise powers designed to promote the order, safety, health, morals and general welfare of society. It is not only impossible but inadvisable to attempt to frame a definition which will set definite limits to the powers and duties of police officers appointed to carry out the powers of the state in relation to individuals who come within its jurisdiction and protection."

The duties imposed on them by statute are by no means exhaustive. It is infinitely better that the courts should decide as each case arises whether, having regard to the necessities of the case and the safeguards required in the public interest, the police are under a legal duty in the particular circumstances.



Moving away from the Ontario Court of Appeal Justice back to the text of the report:

"Generally speaking, the police have a duty to protect life and property and this duty comes into play in situations of danger. We think it preferable that the common law powers of police and other emergency personnel continue to be limited by the courts and that the emphasis of the draft bill focus on emergency planning"—emergency planning, and as I say it one more time, I've clearly left the text of the decision: emergency planning.

Back to the very first comments made in this discussion paper, oh, so obvious that municipalities are on the front line in preparing for emergencies. It's all about the cops, the firefighters, the paramedics and the nurses—the nurses and other health professionals—who are called upon to save people's lives, to protect other people's lives and well-being and to protect and secure property.

I believe that proposition as strongly as one can believe anything. I also believe that it's as valid today as it was in 1979, once again.

So let's take a look at the bill and observe that once again the bill does little, in my submission to you, to support better planning and preparedness and does far more to create some of those new powers that now Justice McMurtry warned us against, admonished us to be careful in our consideration of, back in 1979.

Let's talk exactly about what some of the powers are. That might be a good way to take this. We will not necessarily start at the beginning, nor will we necessarily start at the end. We'll start somewhere around the middle. What are the powers that are going to be created? I'm looking at section 7.0.1, "Emergency orders," subsection (4), amongst other things: "The regulation or prohibition of travel to, from or within any specified area." Number 3, "The evacuation of individuals and the removal of personal property from any specified area...." Number 5, "The closure of any place, whether public or private, including any business, office, school, hospital or other establishment or institution."

Number 10, "The procurement of necessary goods, services and resources, the distribution, availability and use of necessary goods, services and resources and the establishment of centres for their distribution." Number 11, "The fixing of prices" etc. Number 12—and this was one of the things considered and advocated by the government in that horrible, horrible exercise around Bill 138: "The authorization of any person, or any person of a class of persons, to render services of a type that that person, or a person of that class, is reasonably qualified to provide."

As I read these and rattle them off, in some respects they just sound like oh, so much legalese and claptrap and of so little relevance to what we're talking about.

There was a whole lot of discussion about evacuation powers in the, again, regrettable Bill 138 committee, and a whole lot of advocates of the fact that you needed special powers, just like you needed special powers of warrantless entry. I have to tell you, Speaker: Every time

I've seen a bill—you were with me, I think, when we had the first version, the first draft, which was much improved by the time it came to third reading, of the marijuana grow-op bill, which had all sorts of provisions for warrantless entry, which gave building inspectors more power, as I recall it, than police officers. It also put them in sort of the vanguard of the attack on some biker-run, gang-run, booby-trapped marijuana grow-op.

The minister is here. He's one of the ministers who sits in on the debate on his bills, because he's been here long enough to know what protocol is. If he had the time, if there wasn't such a turnover in his cabinet, he'd have time to explain to the other ministers what that protocol is. Look, the ministry, when all was said and done, cleaned up that bill to the point where our adamant objection to it became support for what ended up, at the end of the day, being a bill that served communities well and served their interests and had the approval of those communities and, more importantly, from our point of view, the people who work for them.

Justice McMurtry, then Solicitor General, said, "No; be careful about legislating entry powers, evacuation powers. There are a whole lot of sources that would indicate that these powers already exist in practice and in law, at common law." The common law, I put to you—and legal experts can argue with me or with each other—is far more appropriate in terms of adapting itself to real life situations, the situations that are inherently unpredictable. The common law contains, in the vast majority of instances, a great deal of common sense. It's been the adaptation, the growth, the maturation, the evolution of that law over the course of changes in values and attitudes and the change in how we live together in a community and how we work, and what kind of relationships we have and promote.

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New Democrats are not only concerned about the number of powers contained in that subsection that I just referred to, subsection 7.0.1(4); we're also incredibly concerned about the delegation power of the Lieutenant Governor in Council. It's one thing, and it will still be debatable, for the Premier to unilaterally assume power to declare an emergency and, similarly, power to order certain things like those things enumerated in subsection 7.0.1(4). It's one thing for the Premier, via the Lieutenant Governor in Council, to delegate some of those same powers to the appropriate minister, because historically the Solicitor General had powers of declaration of emergency. McMurtry refers to that in his report. Indeed, the current Minister of Community Safety is probably the only one here, short of Jim Bradley, who remembers that Solicitor General. I remember him fondly, but I was oh, so young.

The delegation; that takes us over to section 7.0.3.

"After an order has been made under section 7.0.1, the Lieutenant Governor in Council"—and that's the cabinet, that's the Premier's office; it's not really the cabinet, it's really the Premier's office but it's rubber-stamped by cabinet—"may delegate to a minister of the crown or to



the Commissioner of Emergency Management any of the powers of the Lieutenant Governor in Council under 7.0.2(4)." That subsection (4)—I apologize. I've been referring to it as 7.0.1(4) and 7.0.2(4), because I just referred to 7.0.3, which is the delegation power.

That's where we've got to have a little bit of contemplation about what the government is actually doing here. And I mean no disrespect to the Commissioner of Emergency Management, but he is a servant of the government, and when you're imposing extraordinary powers, I say there has to be some political accountability that is direct political accountability.

Now, I will go one further. You heard the comments that we in the NDP made upon the appointment of the emergency management commissioner. It is my respectful view that that ought to be a role parallel to the role of Ombudsman, parallel to the role of Environmental Commissioner, such that that role is the role of an officer of the assembly. I really believe that. I think it's inherently important enough, not only in terms of the exercise of powers and responsibilities that he or she might have at any given point in time, but in terms of the ability of that officer of the assembly—which that person is not now—to be truly independent when it comes to proposing recommendations and/or responding to policy proposals being made by the government.

We saw this most recently in terms of the Attorney General's announcement back on February 20 around so-called reforms of the Ontario Human Rights Commission. Then and there at the media studio where the Attorney General was making that announcement, the Human Rights Commissioner, Ms. Hall, was inevitably—because, you see, she's accountable to the minister, not to the assembly—basically cheerleading for the minister, because quite frankly that's her job—and again, no disrespect to Ms. Hall, but it's the very nature of the beast. In response to that observation, one of the first things New Democrats said was, if you really want to create reform in the Ontario Human Rights Commission, make sure your Ontario Human Rights Commissioner is an officer of the assembly and independent of any political or politically tainted or politically scented—"tainted" has such a negative connotation—oversight. That's a real dangerous thing. Let's understand, in the context of an emergency, we're talking about, from time to time, people being compelled and called upon to do some extraordinary things. I say we need a person whose oversight of that process is truly politically independent.

Could you infer that New Democrats expect this to go to committee? It's a very serious bit of legislation, and we very much insist, and I expect the government expects, that it's going to go to committee.

Let me tell you some of the other concerns. I won't be able to canvass all of them. One of the things that was just so frustrating—I was banging my head on the desk during that phony committee on Bill 138, because we're waiting for the—

**Ms. Kathleen O. Wynne (Don Valley West):** Don't admit that.

**Mr. Kormos:** Well, I was. Look, I had a big bruise. I'm going bang, bang, bang, "What is the matter with you people?" I say to Ms. Wynne, the member for Don Valley West, honest, because I'm going, "What are you guys doing? You haven't heard from Mr. Justice Campbell yet. You haven't heard from Judge Campbell yet in terms of the SARS report and his recommendations. What the heck are you doing drafting Bill 138?"

**Ms. Wynne:** Is that when you started banging your head?

**Mr. Kormos:** That made me bang my head, honest, and if you want to see me bang my head again, pull another stunt like that. Ms. Wynne, you are clever enough, you are astute enough, you are experienced enough, you are learned enough, that had you been there when the committee's drafting of so-called legislation without Campbell having released his report yet—

*Interjection.*

**Mr. Kormos:** You would have wanted to bang your head. You may not have done it. You may have shown more restraint than I did, but you sure as heck would have thought about it, Ms. Wynne.

One of the recommendations—this one happens to be in the second interim report from Justice Archie Campbell, from April 2005—is the call for the strengthening of occupational health and safety protection for health workers. He writes:

"Suggestions have been received for legislation to strengthen occupational health and safety protection for health workers. That issue will be dealt with in the final report. Occupational health and safety is a vital aspect of the commission's work. It cannot however be addressed adequately in the limited confines of this report and must be addressed together with the stories of the many health care workers who sacrificed so much to battle SARS."

I read that interim observation to point out how emphatic he was about it, even before he had prepared that stage of his report. It's imperative that any new legislation, any overhaul, any amendment of legislation that addresses emergency management, in my view, also contain legislation and amendments that address the valid, legitimate concerns of health professionals. You know who we're talking about. We heard from them: brave, brave women and men who during the SARS crisis did not have adequate defence, adequate support, adequate protection via the Occupational Health and Safety Act. Day after day, we found health professionals and we learned of health professionals working without adequate safety equipment to protect themselves. And some paid the price, didn't they?

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So I say to the government and to the minister that we've got to deal with the absence of contemplation of occupational health and safety protection for health workers. We've got to address the failure of the legislation to be specific about the fact that it does not override collective bargaining agreements. I say that is oh, so important. The fact is that the vast majority of public sector workers—and it's a strong public sector, ade-



quately staffed, adequately trained, adequately resourced that's our real protection against emergencies and in the context of emergencies, isn't it? It's they who are our real protection in the context of unforeseen, unexpected or catastrophic emergencies.

I'll repeat that the most effective manner of addressing emergencies is enhanced preparedness. The failure of governments—and I'll say that in the plural and leave it at that—to respond adequately to the various emergencies of the last several years are attributable almost entirely to their failure to appreciate the importance of public infrastructure to the resolution of the problems arising in extraordinary circumstances.

I repeat that we will be ensuring that there is debate in committee around similarly ensuring that any legislation recognizes and respects the collective bargaining process.

It's our position as well that this government and all of those public sector employers who really want to prepare themselves for the crises of emergencies would best serve their residents and their citizenry by insisting and ensuring that management and unions sit down and develop, collaboratively, emergency protocols. What better way to build a strong response system than to have workplace parties bargaining in advance of any emergency such issues as deployment of staff, scheduling pay rates, emergency premiums, training, protection of occupational standards, accommodations of workers with particular needs, vacation entitlement and other matters vital to the operation of the establishment during the course of an emergency.

I don't know how you do it up Barrie way, Speaker, but down where I come from in Niagara front-line public sector workers are eager to sit down with management and develop these protocols. And you know what? The OPSEU members, the SEIU members, among others, and the ONA members I have talked to, just like you've talked to, up Barrie way are prepared to do the same thing as well in the interests of public safety and, yes, in the interests of their own safety, when they're going the extra mile and risking their health and their lives in the context of an emergency.

That was a signal, of course, that I've only got a minute and 30 seconds to go, and I'm wrapping up. That's just to let the next speaker on the government's list know that they should get into the chamber as quickly as possible.

This is, once again, an important piece of legislation. We, the New Democratic Party, are prepared to sit down and work with any party in this chamber to develop meaningful legislative responses, but we insist that any legislated address of emergency management has to recognize that preparedness is the fundamental element of adequate emergency management. When you talk about adequate, you also talk about safe. Safe and adequate emergency management means effective emergency management, and emergency management that is as safe as it conceivably can be for the emergency worker—police officer, firefighter, paramedic, health

professional, nurse, any number of other people in the health professions. That's the bottom line.

We've got to be very cautious, in the context of this admonition of "Be careful what you wish for," in creating extraordinary legislative powers when the common law may well be the superior tool to achieve the particular end.

I look forward to committee. I thank you for your time and patience with me, sir.

**The Acting Speaker (Mr. Joseph N. Tascona):** It's time for questions and comments.

**Mr. Bas Balkissoon (Scarborough–Rouge River):** Thank you for this opportunity to respond to the member from Niagara Centre and his comments on Bill 56.

The member was a member of the standing committee that dealt with Bill 138. If I could just refer to the Hansard of that particular debate, he did ask Dr. Young, the then Commissioner of Emergency Management, the exact questions about the report from Mr. McMurtry. I just want to refer to a couple of words of Dr. Young in his answers. He said, "I think the answer to this report served us well from 1981 to today. I think we're in a different age in 2004. Things we believed and the way we behaved in 1981 is not the way the world works in 2004." I think we have to take good note of that particular comment. I don't think anyone has experienced, or had experience back in 1981, of 9/11 or SARS or the blackout that we faced.

Extraordinary circumstances that this bill is addressing require the government to take extraordinary measures, but the bill is very balanced in that it demands accountability to the public; it demands accountability to this assembly.

The member from Niagara Centre also makes reference to firefighters and nurses. Yes, those people are covered in the existing emergency act. They are technical and operational people, and they will continue to operate within the emergency management plans that the municipalities and various agencies have. So I want to make the member—

**The Acting Speaker:** Thank you. The Chair recognizes the member from Waterloo–Wellington.

**Mr. Arnott:** I'm pleased to have a moment to speak to Bill 56 this afternoon, An Act to amend the Emergency Management Act, the Employment Standards Act, 2000 and the Workplace Safety and Insurance Act, 1997. Clearly, this bill is intended to ensure that the provincial government has sufficient emergency powers to deal with emergencies that might be on the horizon that we're hopefully not going to have happen but can't be entirely sure that they won't.

Our community in Waterloo–Wellington was affected by two devastating tornadoes which struck down in August. They were called F2 tornadoes. The sustained winds were 240 kilometres per hour and we experienced a great deal of property damage. Thankfully, no one was killed. But it really gave us an opportunity to see how our emergency planning locally was prepared to work. Mayor Russ Spicer and Mayor John Green and their



councils and staffs in the townships of Centre Wellington and Mapleton did an extraordinary job working with our OPP, our fire service and our public works officials to respond in such a way as to ensure that leadership was shown and we were able to work our way through the crisis. I was pleased to have the opportunity to work with my local officials, and I was pleased when the Minister of Community Safety, the Honourable Monte Kwinter, made an effort to come and tour the devastated areas shortly afterwards.

It certainly did give us an understanding of how important this is, and I know the provincial government is of the opinion that it has to be prepared for any kind of contingency emergency that might be on the horizon.

I know that our caucus has a number of concerns about the government's approach: that this bill is more about giving emergency powers to the province but gives nothing to emergency services personnel—no necessary equipment, training or education. We have a number of other concerns, and I'm sure that we will continue to bring those forward as this bill moves forward during the course of this debate.

1640

**Hon. Monte Kwinter (Minister of Community Safety and Correctional Services):** I just want to congratulate the member from Niagara Centre for his presentation. It was unusual in that it was very reasoned and it was very thoughtful.

**Hon. David Caplan (Minister of Public Infrastructure Renewal, Deputy Government House Leader):** That's unusual for him.

**Hon. Mr. Kwinter:** It is unusual.

I just want to correct one of the things that he implied: that this was the end-all and be-all of how we deal with emergencies.

The first thing he asked for was, we've got to get emergency preparedness. I agree. We have a plan that is actually working. Ninety-seven per cent of the communities in Ontario have met that criterion of essential service. They've identified hazards. They've done risk assessment. They've done municipal emergency plans. They've had emergency response exercises. Yesterday I was up at Gravenhurst at the fire college, where I addressed a conference that had been going on for two and a half days, where EMS, police, fire, paramedics, all the people who would be impacted by an emergency, were meeting to discuss, "How do we respond to an emergency?" That was important.

As the member from Waterloo-Wellington talked about the tornado, all you have to do is look at the flood of a couple of years ago in Peterborough. I arrived there the day after the flood, and it was a textbook response, absolutely textbook: no injuries, no deaths. Yes, there was property damage, but how do you stop a flood? You can't do that. It was amazing to see what they were doing because they had adhered to the essential plan that 97% of the communities in this province have adhered to. We're working on that.

I have to stress, in the 15 seconds that I have, that this is about having the legislative power to do things. That doesn't mean that we do nothing else; we do what we have to do and make sure that everybody is prepared, that we have the resources, we have the training and we have all of the ability to respond to an emergency.

There have only been two emergencies in Ontario's history: SARS and the blackout. The others were local emergencies, whether it's the Mississauga derailment, whether it's the Peterborough flood, whether it's a tornado—whatever it is. Those are areas that we are effectively prepared for. What we're trying to do is make sure that we have the legislative ability to respond to a catastrophic emergency. Hopefully, it'll never come. Our motto is, "Prepare for the worst and hope for the best."

**The Acting Speaker:** Further questions and comments? Response?

**Mr. Kormos:** I give the minister credit, because he talked about real-world phenomena. He talked about the phenomenon of SARS. He talked about blackouts. The stuff I read in the paper—what was it, yesterday or this morning—from the private sector generator TransAlta left some of us with the impression that we could well face more blackouts.

But let's not rev up this debate with references to 9/11. I'm not saying we should ignore 9/11; we can obviously never erase it from our memories, any of us who watched the television imagery, never mind those Ontarians and other Canadians who went down there and volunteered after the fact. Many of them came from my riding, as they did from yours.

Let's be very careful not to rev up the rhetoric here to the American homeland-security type of approach, because I put to you that that's very, very dangerous stuff. It has the capacity to create some huge injustices. It may well have created some injustices in Canada alone, the whole phenomenon of racial profiling that flowed from that and, in my view, continues to flow from it: the vilification of people of certain ethnic backgrounds.

Understand that, down where I come from, just like where you come from, the emergency is far more likely to be an arena roof collapsing, God forbid, or a fire in a shopping mall that has thousands and thousands of people in it at any given time, than it is terrorists, however any of us may prefer to envision them. So when it comes to appropriate law, I'm sticking with Judge McMurtry. I don't know about other people. If I want medical treatment, I'll go to Dr. Young; if I want legal references, I'll go to Roy McMurtry.

**The Acting Speaker:** Further debate?

**Mr. Wayne Arthurs (Pickering-Ajax-Uxbridge):** It really is a pleasure on a bright, sunny afternoon to be able to rise to speak to emergency management. One would rarely think, if one looked outside today, that we would ever need to have the types of authorities and powers in the hands of the province to engage in the type of emergency we're talking about.

The minister has already made reference to only two occasions where it has been felt necessary to declare a



provincial emergency, and both of those within our very recent history: a medical emergency in the form of SARS and an infrastructure emergency in the form of a very significant blackout.

There are phrases like, "On some issues, it's better to beg forgiveness than to ask permission." It's not a good strategy for governance and government, in taking actions after the fact for which they are not authorized, to go back to their constituency and beg forgiveness at that point in time, rather than having asked permission at the beginning. Through this debate and through this Legislative process, if this legislation is approved, it's effectively saying that we need to ask the permission of the public in Ontario to take the necessary actions as government under the Premier and under cabinet or a delegated authority in times of extraordinary emergencies.

The member from Niagara Centre, in his hour, and more recently in his summation, referenced 9/11, so I'm not going to use 9/11 as a reference point. Let me use a different example as a reference point for exactly the kinds of issues that this province would have to be and needs to be ultimately prepared for.

I was the mayor of the city of Pickering, and the town of Pickering prior to that, for some 15 years. In the very early part—I think it was 1991 or 1992—we had a situation where there was a pipe that burst in a nuclear reactor. My phone rang from a constituent, saying that he'd had a call from a staff person that there was this issue in a nuclear facility. So I got on the phone and called the folks we dealt with at that time, from Ontario Power Generation. They said, "We have a broken pipe. It's not major. We have a leak." I think he said it was 20 mega-grams of water. So I said, "Oh, 20 mega-grams. It's just a little leak. It's a glassful, so what's the big deal here? I'll call my constituent back and tell him that obviously whoever called him had some misinformation. 'It's not severe. It's not significant. Don't worry about it.'" I called him back and explained that to him.

Shortly thereafter, I had another call from someone suggesting that we had an incident of some significance. I called my friends back from OPG and talked to the fellows there again. I said, "I understand that we have a major problem here." They said, "We do have quite a leak. We have a large pipe that has burst. It's six, eight or 10 inches in diameter." I said, "I thought you said we had 20 mega-grams of water, like a glassful." Being the engineer that he was and I'm not, 20 mega-grams was not 20 grams. "Mega" means "big." So I said, "Call me back in an hour and tell me what's going on." He called me back and said, "Can you envision two Olympic swimming pools full of water? That's what we have in the bottom of a reactor."

1650

There's a concrete example of the type of situation that, if it were to get out of hand—and it didn't; it was managed—it would require the action, in my view, of the province of Ontario, for the Premier or cabinet to be able to act on an emergency, localized to a fairly large area, in addition to the legislation that provides specifically for

emergencies as a result of any type of nuclear activity. I think something of that magnitude will require that additional capacity for a Premier or the cabinet to be able to declare an emergency in a large area. To suggest that 9/11 is some aberration that we shouldn't be referencing because it really isn't relevant to us—we can certainly find other examples of situations that are far more practical that, in my view, could potentially require the type of authority that is envisioned in the legislation we have before us.

I had the pleasure of sitting on the committee during the summer of 2004 that worked on drafting Bill 138. I would have been very pleased if Bill 138 had continued on beyond first reading, had been brought back to the House, had continued through the process and, with whatever amendments that were necessary, had come to legislation. But the reality was, in the absence of the co-operation of both the official opposition and the third party, that wasn't possible. I think we heard for an hour why it wasn't possible for that legislation to come back to this Legislature and have the full and thorough debate it would have had, with the possibility of being adopted or, in the alternative, the possibility of being set aside for other legislation.

There are any number of elements within this legislation that are important to the people of Ontario. I believe the people of Ontario have a right to know that in the event of emergency, someone is legally, by law, in charge of that emergency.

I have to commend former Premier Eves for what he did during the blackout. Although he didn't have this legislative capacity to act, he did some of the things that are clearly identified. He reported to the public in a very effective and structured way. He provided a level of information and comfort so that people understood somebody was in charge. But wouldn't it be nice to know that the Premier of the province had the authority, by law, to do exactly what he did, so that a Premier wouldn't be left, in the aftermath of that, coming back into this particular forum and having someone challenge him on the basis that he took an action and putting him in the position of asking forgiveness because he didn't have permission? The legislation speaks specifically to those kinds of needs for the Premier to report to the public on a regular basis in the event of emergency. I think that's an important element of what is in the legislation.

I think it's also important that the legislation clearly requires ongoing confirmation by cabinet and/or the Legislature for the continuation of, effectively, that state of emergency. A Premier can't act arbitrarily for extended periods of time to take over control of a variety of other responsibilities, whether municipal or elsewhere, without confirmation that government or the Legislature sees those as appropriate actions for a Premier to be taking. I think that's an important and protective device for the people of Ontario.

I believe within 72 hours, if my recollection is correct—I'm thumbing through—of the declaration of an emergency, if it's by the Premier, he must confirm that



through the approval of cabinet. The emergency can continue, I believe, for 14 days without confirmation for its extension. The Legislature, if the Legislature is sitting and if it's deemed appropriate at that time, on the request of the Premier, can extend an emergency for a period of up to 28 days. What that does in effect is it provides a window of opportunity, first, in the immediacy of an emergency, because you can't anticipate them and wait for them to unfold. It provides a capacity for the Premier and/or cabinet to be able to act on that emergency and put in place the types of strategies and structures to implement what's out there already. It provides for a confirmation, it provides for an opportunity to extend that for a reasonable period of time and it provides for a window whereby the Legislature could be asked to engage in that.

It also includes a provision where the Legislature can terminate the emergency, where this body, in its legal capacity, has the right to determine that the state of emergency declared by the Premier or cabinet is an inappropriate action on their part. I think that's an appropriate and important part of what this body, on behalf of the 12.5 million or 13 million people in the province of Ontario, should have and need the opportunity to do.

Having legislation of this nature in place provides the people of Ontario with a variety of protections, a variety of checks and balances to the use of extraordinary powers, but also provides them with a level of confidence that the government can be in charge, not simply that it will take charge but that it can be in charge.

There are provisions within the legislation as well that protect the rights of individuals during the course of an emergency. One of the interesting parts I found was the provision to seek or authorize individuals who have certain skill sets that might be needed to use those skill sets. It didn't compel them to do it. I think one is that if there is a doctor from outside Ontario in the province during an emergency, they can use their medical skills, their medical expertise in spite of the fact they're not currently licensed here, and they can do it without fear, without liability if they're acting in good faith, in essence. So it provides protection for them in acting during the emergency; their personal liability is protected.

There are a number of provisions of that nature in the legislation that authorize people to be able to act beyond what they might normally do, presuming they are reasonably capable of doing that, but not exposing themselves to personal liability. That includes municipal workers who might be acting during the course of an emergency, who have some liability protection if they're acting in good faith. Now what it doesn't do is it doesn't protect the municipality, nor does it protect the crown. In essence, government bodies still have and still assume liability and responsibility for their actions, but potentially those who work for them, as long as they're acting in good faith, are not personally liable, are not personally exposed to some future course of action as a result of their trying to be of assistance and help and using their skills during an emergency.

The legislation, I believe, achieves a lot for the people of Ontario. It provides a tremendous amount of confidence that at the end of the day those acting on their behalf are acting with legal jurisdiction, are acting in the interests of the public, that there are devices legislatively, checks and balances, to ensure that those powers are not being used in a fashion that is not in the interest of the public, and checks and balances that allow this Legislature to be able to make a determination as to whether or not those powers are being exercised in a fashion that best meets the interests of the public of Ontario.

There have been, and inevitably there will be, extraordinary circumstances that may very well require the use of this legislation. They are likely to be few and far between, but in all likelihood, some day, at some point, they will be required, and I believe it's important to have legislation of this nature available to the province of Ontario.

1700

**The Acting Speaker (Mr. Mario Sergio):** Questions or comments?

**Mr. Arnott:** It's good to see you in the chair, Mr. Speaker.

**The Acting Speaker:** It's good to be here.

**Mr. Arnott:** I'm pleased to have a chance to respond very briefly to the member for Pickering-Ajax-Uxbridge. I appreciated very much his comment about Premier Eves, who provided, I thought as well, extraordinary leadership during a very difficult time in the summer of 2003. Many of the members who were in this House at that time were anxiously awaiting the call of an election, not having yet been elected to the Legislature, and I'm sure they remember those days very well, as I do.

When I think back to how those events transpired and the exemplary leadership that was shown by the Premier of Ontario, I think that's exactly what people would have expected of our government at that time. Certainly, we were facing an extraordinary challenge. Of course, the power outage originated south of the border. At that time, it wasn't clear where it had started or how it happened, but over a period of days we had to encourage industry and commercial activities in Ontario to power down as much as possible because we needed to have time to crank up our nuclear reactors once again and to do it in a safe way that wouldn't force the system to crash once again.

Our Minister of Energy at the time was the Honourable John Baird, who of course is now the Treasury Board president, I believe, in the House of Commons. I recall vividly those conference calls that our caucus participated in during that time. I felt that it was my role as the MPP for Waterloo-Wellington to do what I could as a local, elected community leader to try to make sure that all the needs in my community were met. I think we all tried to play our part in working towards the end of that difficult week such that the lights could be turned on again.

I think it was very good of the member from Pickering-Ajax-Uxbridge to commend the Premier the way he did, and I want to thank him for that.



**The Acting Speaker:** Questions and comments? The member for Beaches–East York.

**Mr. Michael Prue (Beaches–East York):** Thank you very much, Mr. Speaker, and it's good to see you in the chair as well.

I'm going to do something that is very seldom done in this House, and that is I really have a question to ask of the previous debater, the member from Pickering–Ajax–Uxbridge, because he, like me—we were both mayors and we both had extraordinary powers in times of emergencies. I don't know whether he ever had to exercise them. I know that during my four and a half or nearly five years, I did not have to exercise them. I am wondering if perhaps he could elucidate on this, perhaps he could explain, or perhaps the government in its capacity could explain under what circumstances one might envisage a province-wide emergency that would necessitate the Premier exercising powers that are normally granted to the heads of councils, the mayors or the reeves in the respective 450 municipalities of Ontario.

The power outage has been talked about today, but the power outage came and went without this extraordinary power. The Premier had the power that was necessary to accomplish what Mr. Eves did during those very difficult times when the electricity was off for a day or two. That was a measure the Premier had and he seemed to be able to control the destiny of the province without this extraordinary legislation. Given what the member had to say, that it would likely be few and far between that the Premier would ever have to exercise this power, can he tell me under what circumstances the powers of the mayor would have to be gone above to have this new bill in place? Why is it necessary to go to this extraordinary extent when we already have legislation that will govern most emergencies in the province?

**Mr. Lorenzo Berardinetti (Scarborough Southwest):** It's a pleasure to have an opportunity to comment on the comments made earlier. I just wanted to add a few points to the debate. I was talking this morning with my legislative assistant, and he was telling me that the avian flu, which is slowly making its way over here, has now been reported in Great Britain, of all places. So it continues to move in this direction. It's only a matter of time before a case is reported here in Canada and probably in the United States. I don't know if that would, at some point in time, if it became—I think they call it a pandemic in those circumstances—if this bill would encompass that. But what I do know is that Ontario is the only province in Canada that does not have legislation for broad, comprehensive emergency powers.

Bill 56 is a well-balanced bill that offers checks and balances, as was spoken about earlier, and makes the government accountable for its actions should it be necessary to declare a provincial emergency. I think that, as the minister said earlier, we hope for the best, that nothing of this nature does come to the province of Ontario, but if it does, we want to have a plan in place. I think that the bill before us and the work that was done before in the previously drafted bill, Bill 138—a number

of items in that have been incorporated to ensure that this bill is in harmony with that, but it also strikes the right balance between government exercising its rights and also the rights of citizens being protected and having some civil rights protected in those circumstances. So the bill is very carefully drafted, and I strongly support it. I'm glad to offer a few comments on the bill here today.

**The Acting Speaker:** Further questions or comments? The member for Muskoka.

**Mr. Norm Miller (Parry Sound–Muskoka):** Parry Sound–Muskoka.

**The Acting Speaker:** Parry Sound–Muskoka—a wonderful town.

**Mr. Miller:** Thank you, Mr. Speaker. You can't forget Parry Sound; that's for sure.

**The Acting Speaker:** Absolutely. My apologies.

**Mr. Miller:** It's my pleasure to have a couple of minutes to add some comments to the speech by the member from Pickering–Ajax–Uxbridge on Bill 56, which is An Act to amend the Emergency Management Act, the Employment Standards Act, 2000 and the Workplace Safety and Insurance Act, 1997. I was very pleased to see the member complimenting past Premier Eves on his role through a number of different emergencies we had here in the province of Ontario. Premier Eves, in the time he was Premier, was quite unlucky in terms of the way events unfolded in terms of emergencies. In fact, his going-away present, his gift from me, was a cartoon. I think the gist of the cartoon was, "What could possibly happen next?" And someone is saying, "Locusts are coming." That was after the blackout and SARS. I would certainly like to compliment Premier Eves on the way he handled those emergencies. I'd also like to compliment the new federal member for Parry Sound–Muskoka, that being Tony Clement, who was the health minister through the SARS crisis. He did, I think it was recognized, an excellent job of communicating, of holding daily news conferences and making everyone aware of what was going on. He certainly did an excellent job.

This bill is a bill that we support. I think it's very important that it go out to committee. I'm sure there'll be a lot of public input so that the bill strikes the right balance. I look forward to it going to committee after second reading.

**The Acting Speaker:** The member for Pickering–Ajax–Uxbridge has two minutes to respond.

**Mr. Arthurs:** I want to thank the members from Waterloo–Wellington, Beaches–East York, Scarborough Southwest and Parry Sound–Muskoka for adding to the debate.

I want to focus, in these couple of minutes, if I could, quickly, on the question from the member from Beaches–East York. I did, actually, declare an emergency. I declared an emergency during the blackout. The only way we had available to activate our emergency plan officially was to declare an emergency in the city. We set up our emergency centre first at city hall, because there was no sense of imminent danger there, although our



main centre was some 10 miles away, as we had to be outside the 10-kilometre zone because of the nuclear plant. So we did use it for that purpose specifically, and that allowed us to activate our emergency plan and delay doing that until we had communicated with others. I can't recall the exact timing that we did that with.

You were asking what situations one might envision. You mentioned a province-wide emergency. I can't envision a province-wide emergency myself. Let's go beyond the municipal jurisdiction. Let me give you maybe one or two examples I can think of that might require this legislation being put in place. I won't even engage in the nuclear activity, because it has its own legislation, although I think it would be appropriate to declare an emergency in that context.

1710

Let's assume that along the 401 there are three or four trucks or a rail line, with chemicals included, and you have a chemical explosion or a derailment that's cross-boundary somewhere around the Rouge River. You now engage Durham region and the city of Toronto. Each of them has their own emergency powers as mayors, but nobody has the authority to really act cross-boundary. This legislation in part, under clause 7.0.2(5)(c), says:

"(c) the Premier may by order require any municipality to provide such assistance as he or she considers necessary to an emergency area or any part of the emergency area that is not within the jurisdiction of the municipality, and may by order direct and control the provision of such assistance."

This legislation provides a—

**The Acting Speaker:** Thank you. Further debate?

**Ms. Laurie Scott (Haliburton–Victoria–Brock):** I'm pleased to join in the debate today on Bill 56, An Act to amend the Emergency Management Act, the Employment Standards Act, 2000 and the Workplace Safety and Insurance Act, 1997.

The bill started in committee as committee Bill 138. The member from Niagara Centre, who spoke earlier, I believe participated in the committee and described at length what proceeded in the committee. It was introduced by Mike Colle, Acting Chair of the standing committee on justice policy. It had secondary sponsors: Wayne Arthurs, the member from Pickering–Ajax–Whitby, who just spoke, and Laurel Broten, the member from Etobicoke–Lakeshore.

The member from Niagara Centre went on to explain the good work that they had done on the committee. He did give some history: that the present government had wanted it sponsored, to received secondary sponsors, from the other opposition parties, and both agreed that that wouldn't be appropriate. Because of our role here, we need to have debate.

It is a bill that provides sweeping emergency powers to the Lieutenant Governor in Council and the Premier, and "amends the definition of emergency to include dangers caused by disease or health risk." So it introduces sweeping powers. There was discussion at the time that a big bill like this didn't need to be brought in, that maybe

a single piece of legislation would address the requirements or the desires of the chief veterinary officer of the province of Ontario. It was because of the possibility of the bird flu epidemic, which is in the news again today and which we hear about almost weekly. Because we live in such a global world, we want to be prepared for emergency pandemics that could occur.

But both the Progressive Conservative Party and the NDP thought that we could bring in legislation that would meet the requirements and the desires of the chief veterinary officer of Ontario. We do have a role, being in opposition here, to provide scrutiny, oversights and concerns, and we should do that. That is a little history of how we got from Bill 138 to Bill 56 here today.

In the committee, they had a long list of people who presented these for them which is available. It was teleconferencing from 92 people, eight of them representing 53 organizations, including the Ontario ministries. Written testimonies: 17 organizations wrote in. So in the committee they heard concerns from a lot of people. Ontario, I believe, is the only province and the only jurisdiction in Canada without an emergency management bill. Ontario's present emergency management statute differs from those of the other nine provinces in that other statutes list powers that may be exercised in a declared emergency, whereas the Ontario statute sets out matters that must be dealt with in emergency plans and then generally allows the Premier or the head of the municipality, as the case may be, to take the lawful measures needed to carry out the plan. Bill 56 would change the statute into one that allows cabinet to make orders or lists of topics in a declared emergency.

A lot has been said about some of the local emergencies that have been faced. The minister himself commended the people in Peterborough, and they should be commended—the city of Peterborough and the flood that took place and how they acted quickly. I commend the minister for going there right away, and the member from Peterborough for the actions, in participation with the municipalities, in treating the people and their health concerns, and what the committee actually did, and how that municipality had its emergency preparedness and worked with the provincial government to get the best results at the end of the day for the people of Peterborough. So I commend them for that.

The member from Waterloo–Wellington mentioned the tornado and the member from Ajax–Pickering mentioned his days in municipal politics. Some of the disasters and emergencies that occur that you try to prepare for—sometimes in life you just don't know what's coming around the corner. I certainly experienced that as a nurse. You never knew what was coming through the door. I think maybe the biggest emergency for many people I had to deal with was in Lindsay, when a bus overturned, and dealing with people whose first language was not English and trying to find an interpreter in a smaller village. But we were able to, and we took care of the people. It's human nature: the professionals who took over and their care for the individuals involved.



When we talk about front-line staff, the health care professionals who would be needed in case of emergencies that would occur—certainly the Ontario Nurses' Association has raised concerns. Their president, Linda Haslam-Stroud, "says there are already provisions in her members' collective agreements that address nurses' rights to a safe working environment during medical emergencies.

"The bottom line is, without knowing what this really means, whatever this emergency act is going to encompass, they need to be consulting with ONA and the front-line nurses, and (ensure that) provisions in the collective agreement will apply."

I think that's what we are saying here. It's management; it's the front-line delivery of the services. They need to be able to work together in an emergency, as has been spoken about with SARS.

"Bill Robinson, spokesman for the Society of Energy Professionals representing electrical engineers, says there doesn't need to be a law forcing his members to work in the event of another blackout." He gives the example of the 2003 power outage: "Employees volunteered to work overtime in the midst of a crisis, and notes that licences to operate power stations require a minimum complement of workers at all times, even during labour disputes.

"Critics say if the government is serious about legislating steps to fight an avian flu crisis if it hits Ontario, it didn't accept an opposition offer to address it more quickly." That's from Canadian Press; I just can't find the date.

As the member from Parry Sound-Muskoka mentioned, I was just a candidate in the 2003 election, but going on the conference calls, it was, "What kind of plague is going to hit us next?" The leadership shown by our Premier, Ernie Eves, and now the president of the Treasury Board, but the Minister of Energy at that time, John Baird, is to be commended.

I have to say that I was in Lindsay at the time the blackout occurred, and we didn't know at that point what was happening. But by the time I got to the northern part of the riding, we had hydro. Whoever was able to flick the switch at that junction—and maybe the members opposite who have cottages in Haliburton remember that many people in the city fled up to Haliburton county because we had power during the blackout. There was a quite a stampede of people from the city into the country at that point.

I think that was one of only two emergency orders that have been declared in Ontario's history. The first, in March 2003, was in response to SARS and the second was in August 2003, during the massive blackout.

1720

On SARS, I want to comment that the Minister of Health at that time, Tony Clement, did an outstanding job. At that point, we had never really experienced anything of that nature in the health care field in, I think, North America. It opened our eyes. He worked so hard in daily press conferences and he worked with all the professionals, the emergency preparedness people, and

then flew over to Europe to deal with the World Health Organization on that. Forty-four people lost their lives in the SARS outbreak.

I think we learned a lot from the Campbell report that came out. Justice Archie Campbell, investigating judge on the province's response to SARS, did a report on SARS. His comments on Bill 56 before us were that this power is awesome—in reference to the nearly identical Bill 138. He noted that it would literally give the provincial cabinet the authority to override any other Ontario laws when an emergency is declared. We agree that we have to be more prepared for emergencies in Ontario and that, in the case of the avian flu, maybe we could have just brought in a bill that directly dealt with what the concerns are for the chief veterinary officer for the province of Ontario as opposed to this large bill with such overriding powers.

When we talk about the front-line staff and health care professionals, we have to talk about doctors. I spoke about nurses and the fact that between 15,000 and 30,000 nurses are going to be retiring by 2008. The government's commitment, which it hasn't been able to live up to, to hire 8,000 new nurses—it has hired 3,400 but it's not even two thirds of the way through. We're going to have a big shortage of nurses and doctors, the front-line workers for health care. How are they going to fit in when we have a pandemic that could possibly come before us? We always hope for the best, but you have to plan for the worst, and the lack of health care professionals available to us has to be looked at.

I meet with the health units up in my riding of Haliburton-Victoria-Brock regularly and get updates—very good people; great people. They're concerned. We have many different health facilities around a large geographical area, and what happens if an outbreak comes? It spreads in an instant now and we know from all over the world how fast it can come to North America, to Toronto, to other parts of Ontario and parts of our country.

The health units want to work and need to be involved with the municipality, the province and the federal government. Having experience, the Minister of Health now federally, Mr. Clement—as I mentioned, he was the health minister in Ontario when SARS occurred—I think is going to be of great value to emergency management for the whole country.

On that note, I am going to be sharing my time with the member from Oshawa, and would appreciate his comments on Bill 56 today.

**Mr. Jerry J. Ouellette (Oshawa):** I thank the member for sharing her time on such an important bill, Bill 56, An Act to amend the Emergency Management Act, the Employment Standards Act, 2000 and the Workplace Safety and Insurance Act, 1997. As we're told, effectively this is a result of bird flu virus and the potential impacts of that. As mentioned by my caucus colleagues, we're more than supportive of moving forward on anything that will deal with that specific issue.



Some of the areas of concern are the other potential impacts of this legislation. The member from Pickering–Ajax–Uxbridge mentioned dealing with cross-border issues. When I had the privilege and honour to serve in the province as the Minister of Natural Resources, we had a number of diseases cross over from other jurisdictions, such as chronic wasting disease, for example. It is infectious in wildlife and crosses borders and can impact domestic stocks substantially throughout Ontario. At the MNR, they didn't wait or didn't look for legislation. What needs to be looked at in similar fashion is the potential of developing a process by which you identify the disease, and that's what MNR did at the time.

With the great work of the MNR staff and other individuals with that staff, effectively what took place was that we developed a process whereby we took a contained area that crossed borders from various jurisdictions—municipalities and other such—and took all the harvested deer in that area to determine whether CWD was evident, not so much to find it, because realistically we didn't have the expectation, or the ministry didn't have the expectation, of finding CWD at that time, but what they wanted to do was to develop a process whereby they could identify the disease and how we go about identifying it or bringing in large numbers, or the process where you take them, and those sorts of things.

So one of the key things I would recommend in this ministry is developing or working with MNR or other ministries that are used to dealing with invading diseases or species and such as that so that we can look at how we can effectively deal with the disease immediately.

All of a sudden, we have an identified case that may come in. Right now, we have West Nile virus. It's the same aspect that's taking place there. It's coming in, mostly through migrating birds, whether it's crows or blue jays, and other areas, birds that are directly affected. We look at this disease and then find a process whereby the local health officer does an analysis etc. The same thing should take place with the bird flu virus. I think that enacting legislation that specifically deals with this specific disease that's out there and the concerns that follow it will be far better in moving it forward, and I'm sure all sides of the House would give unanimous consent in moving it forward.

The difficulty is that we are enacting legislation that goes beyond dealing with that. There are a number of other diseases out there that should cause concern. Most people don't realize that raccoon rabies is another disease that is slowly infiltrating the province of Ontario and could have a huge impact. Part of it is they don't have a process to deal with this disease as it comes in. Well, essentially, they do. They have a perimeter area and they expand from that to make sure all those animals captured in that area are dealt with to ensure the area is disease-free. MNR has done a great job of reducing raccoon rabies in the province.

What happens if raccoon rabies happens to approach an area such as Toronto? They've come in from cross-border locations. I think the first one was east of Kings-

ton, but they also come in in other ways. Transport trucks and trains drive back and forth on a regular basis and carry these animals to and from. They effectively get released in other areas. There's no way to tell if a wandering raccoon jumps on a train that's crossing borders, or if it crawls up underneath a transport truck, enters a jurisdiction and then infects entire populations. The average person doesn't realize that there are high concentrations of raccoons right here in metropolitan Toronto. Should that disease have a massive outbreak, it could have large impacts on other species, whether it's dogs, in the way it's transmitted throughout.

Fox rabies, for example, is great. The MNR was able to develop an international program that's used in the United States and a number of other jurisdictions in reducing it to where it's virtually eradicated now in Ontario.

I imagine the average person doesn't realize that one of the largest concerns brought forward in England, when the tunnel was going through underneath the English Channel, was that animals could potentially come across that had rabies, were infected with rabies and could infect a population that had been rabies-free. For those individuals who have travelled to Europe, you know that there is a period of time when an animal is placed in quarantine to make sure it is rabies-free and can be released. So somebody bringing a pet into that jurisdiction has to go through large hoops to make sure it's rabies-free.

The same thing should take place with the bird flu virus. What is the process, and how can we establish it? Which ministry should be looking at it, and are there other ministries and jurisdictions? For example, as to MNR, when you're dealing with wild animals potentially crossing borders and flying back and forth, guess what? They're sometimes the first individuals who come across these various diseases.

Also, there are other diseases are out there as well, not so much diseases but insect infiltration, such as the emerald ash borer beetle. That has come across at Windsor, and I know the members from Windsor were dealing on a regular basis with, "How do we eradicate this problem without affecting the entire province?"

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We've come up with some systems and processes by which we can minimize the impact in Ontario, but quite frankly, anything we can do to move forward on the specific strain of bird flu virus and dealing with that disease or developing processes by which it can be addressed would be a great benefit to the entire province. We have other ministries—one that was just listed was the Ministry of Natural Resources. Of course, when you deal with MNR and the emerald ash borer beetle, along with the pine beetle and other animals, you'll see the big signs now that say, "This is a do-not-move-wood zone." That's because you're going to be moving—

**Mr. Arthurs:** We'll get the gypsy moths.

**Mr. Ouellette:** Oh, the gypsy moths. Well, I think we'll deal with the pine beetle and emerald ash borer beetle right now, because what they do is cut down all the trees in the area. They bore into the tree and their



larvae eat around the inside of the bark, which effectively kills the movement of sap flow from going up a tree, and it's killed off. It's called girdling a tree.

Realistically, the bird flu virus is a very serious disease. I believe that anything we can do to help—and we would be more than happy to address this specific disease. What we have concerns about is moving forward on diseases on a national basis that the federal government should be looking at and addressing that may have impacts on how other ministries operate. I don't see the mention of any of those specific ministries in the listing of this bill at this very time. What are you going to do with all the wild birds that are flying back and forth? It's a concern that needs to be brought forward, and it can be done best through the committee process. We're happy to support that in any way we can.

**The Acting Speaker (Mr. Joseph N. Tascona):** Questions and comments?

**Mr. Prue:** It was a pleasure to listen to the member from Haliburton–Victoria–Brock and the member from Oshawa. They both provided a great many details, but although they are supporting the bill, I am still at somewhat of a loss to understand their support of the bill.

I can understand, and I acknowledge the existence, for the member from Oshawa, of raccoon rabies. We have had that in the province for a number of years. I remember being on the board of health of the city of Toronto when we first discussed raccoon rabies entering into Ontario, somewhere near Kingston, and that raccoon rabies was slowly making its way, and yet it did not require a bill such as this that gives extraordinary powers to the Premier and cabinet to control raccoon rabies.

You talked about the bore beetle and the bird flu. The bird flu we've mercifully been spared yet, but I'm sure one day we'll get it, but nothing that has happened has required the extraordinary powers given to the Premier or cabinet. Certainly you, as a minister of the previous government, did not exercise or need such powers in situations that were very bad.

I think the member from Haliburton–Victoria–Brock did make a very good point, and I'd like to touch on it if I get a few minutes to speak later today, that the very real lack of professionals, particularly doctors, nurses and people in the health care field in many of the communities of this province will—I mean, it's bad now. It's bad when things are normal, when nothing much is happening. But if there should be, God forbid, an outbreak of avian flu or some other type of pandemic, where we do not have doctors and nurses or adequate hospitals, where we have waiting lists of people trying to get ordinary treatment, I would think that is something we should be looking at in conjunction with or in addition to this bill, because without those professionals, this whole bill won't work.

**Mr. Balkissoon:** I want to thank the member from Haliburton–Victoria–Brock, the member from Oshawa and the member from Beaches–East York for their input.

I just want to make a couple of comments. I think all the speakers have clearly indicated that we cannot pre-

pare for disasters that we're not aware of, but we should prepare ourselves that if something was to come along, we would have all the tools in place. I think some of the references made by the member from Oshawa with regard to MNR and the Ministry of Health etc.—a good example of MNR doing a good job is currently going on in the GTA, with is the Asian longhorned beetle up in Vaughan and parts of Etobicoke. It's been handled very well.

You could have policies and regulations to deal with something that you know about, but when you don't know, then you have to have legislation that is broad and you have to be able to give the government that authority to act when such an incident takes place.

What is clearly being done with this bill is that if you have a cross-boundary issue or you have an issue that could spread across the province, you need the government of Ontario to act. You need the government of Ontario to be the overall manager of that particular disaster or catastrophe. You need someone to give overall direction to all the agencies, municipalities, bodies and people that are involved in dealing with that particular emergency.

I think this legislation finds that balance. What Bill 56 also brings to us is the accountability process. The bill requires the government to report to the assembly within specific periods of time. The bill requires the Premier to do certain things. It requires the time frame that an emergency can be for. Therefore, it gives the public that comfort level that the government is prepared.

**Mr. Miller:** I'm pleased to add some comments on the Bill 56 debate and the speeches by the members for Haliburton–Victoria–Brock and Oshawa, and also some of the comments from the member for Beaches–East York.

To the member for Beaches–East York, certainly we do have concerns that the power in this bill be balanced. Because of that, we absolutely want to see it get full hearing at committee.

I would like briefly, in the minute and a half I have, to talk about how this government has reacted to emergencies compared to the past government. I think of the Kashechewan water emergency that they had to deal with. A First Nation community on James Bay asked by fax several times that this government declare a state of emergency, as people were getting sick. How did the government react? They basically ignored them and said it was a federal responsibility. They did that for a while. I asked a question in the Legislature, the member for Timmins–James Bay asked specific questions about this emergency, and they said it was not their responsibility.

Only when Chief Stan Louttit came down here to Queen's Park, held a press conference and embarrassed the government did they finally realize that they had an agreement with the federal government and it was the Ontario government's responsibility to declare an emergency. That's the sort of leadership we're seeing from this government when a real emergency happens in the province of Ontario; quite a contrast to the many emer-



gencies the Eves government had to deal with, the blackout and SARS, and the way they reacted to those specific emergencies. This government had to be embarrassed by a press conference here at Queen's Park to actually act.

**The Acting Speaker:** Further questions and comments? Seeing none, the Chair recognizes the member for Oshawa in response.

**Mr. Ouellette:** I appreciate the members who have responded.

In regard to the member for Beaches–East York, he mentioned a number of things, and I agree. I guess I didn't emphasize in the time I was allotted that we have some concerns about the sweeping powers that are coming forward. We've gone through SARS; we've gone through the West Nile virus; we've gone through the emerald ash borer beetle that the feds stepped in and helped out with, as well as the Asian longhorn beetle; we've gone through chronic wasting disease. We have ministries that have established processes whereby we can recognize, identify and move forward in dealing with those diseases.

Yes, the question is, why is it that we need these more sweeping powers when we've gone through these specific incidents where the province and ministries have demonstrated their great ability? We still haven't heard the reasons why—at least, I haven't heard all the details as to why further powers are necessary. During the debate, I look forward to hearing exactly the reasons why.

We feel that if we want to move forward on this bill we should be given the opportunity to have some other organizations come forward at the committee level to discuss some of the impact.

You're going to give these sweeping powers to the chief provincial veterinary officer. What takes place with the other diseases that come in, such as raccoon rabies, and his ability to deal with those issues? How will that be viewed? Are we going to have two separate entities fighting against each other, with the chief veterinary medical officer as well as the Ministry of Natural Resources dealing with CWD, chronic wasting disease, which, when I speak to some biologists, comes in through the talons of bald eagles that feed on carcasses in infected areas and then come to the province of Ontario? Those are the things we hope to hear about, and I hope they can be addressed through the committee process.

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## BUSINESS OF THE HOUSE

**The Acting Speaker (Mr. Joseph N. Tascona):** The Chair recognizes, with pleasure, the deputy House leader.

**Hon. David Caplan (Minister of Public Infrastructure Renewal, Deputy Government House Leader):** Oh, you're far too kind, Mr. Speaker.

Pursuant to standing order 55, I would like to rise and give the Legislature the business for the House for next week.

On Monday April 10, in the afternoon, second reading once again of Bill 56, emergency management; in the evening, second reading of Bill 53, the City of Toronto Act.

On Tuesday April 11, in the afternoon, second reading of Bill 78, the student achievement act; in the evening, second reading of Bill 14, the Access to Justice Act.

On Wednesday April 12, in the afternoon, second reading of Bill 43, the Clean Water Act; the evening is to be confirmed.

On Thursday April 13, in the afternoon, second reading of Bill 81, the Budget Measures Act.

Thank you for your kind indulgence.

## EMERGENCY MANAGEMENT STATUTE LAW AMENDMENT ACT, 2006 (continued)

### LOI DE 2006 MODIFIANT DES LOIS EN CE QUI A TRAIT À LA GESTION DES SITUATIONS D'URGENCE (suite)

**The Acting Speaker:** It's time for further debate.

**Mr. Prue:** I am again in this unenviable position—this happens to me quite a bit—of being here and having 20 minutes, but only 16 minutes in which to deliver what I have to say. I don't know whether I'm going to try to get it all in in 16 minutes or if I'll have to come back here the next time; only time will tell.

This is a bill on emergency management. At first blush, we can all agree that we need to be prepared in emergencies. As I was asking earlier of my friend the former mayor of Pickering, we as mayors—and there are other mayors who are sitting here today—knew full well what had to be done in times of emergency. It was sort of drummed into us. We knew through the police chief, the fire department and the medical officers of health what would constitute an emergency and how we needed to deal with them within the boundaries of the municipalities. Those of us who were from regional municipalities also knew that there were plans in the broader range as well, so if there was a trans-border argument, how it would be dealt with within the region.

This bill, I guess, contemplates some kind of an emergency that would be so large that it could not ordinarily be handled by a mayor or a town council or a regional government. This contemplates something on which I have not heard anyone speak here today. We've had some talk about raccoon rabies, we've had some talk about bore beetles, we've had some talk about bird flu, but I haven't heard anyone talk about what would constitute that large an emergency that would involve the province, the Premier, the cabinet and this Legislature over 120 days. That's what I want to turn my attention to. This is a bill that's contemplating something that is such a large catastrophe that the entire province would have to be called in.



I go back and look at what has happened catastrophewise in this province in the last number of years and how those were dealt with. Of course, the lights went out a couple of years ago. That was, I think, a nuisance more than a catastrophe. I do commend the then Premier, Ernie Eves, for keeping a calm head and for having daily news conferences, and Ontario Hydro for eventually getting the lights back on. But that did not require an emergency measures act.

I look back at SARS. SARS was very significant to my community, to Toronto. Toronto East General Hospital had a unit. Those doctors and nurses and the people in that hospital worked brilliantly and tirelessly to bring it under control. They did all of that under directions from a medical officer of health at the city of Toronto, with aid from the province, with aid from the disease centre in Atlanta and, I dare say, with help from the federal government. They did all of that without an emergency measures act.

I look back to the great train derailment in Mississauga. Someone alluded to the fact that you could have a pileup on the 401 or a train could go out of control. Certainly, that's what happened many years ago. It happened within the confines of one of Canada's largest cities. All of that was controlled without an emergency measures act. So we are here today debating whether or not the province needs an emergency measures act.

I personally would fall on the side that it's better to be safe. In the end, one might have to say that we need such an act should an overwhelming emergency strike us. In my own mind, I have to tell you that I only see an emergency of a consequence that will not involve raccoon rabies, a train derailment or even bird flu, provided it does not generally infect the human population; I see it in terms of something of huge magnitude, something I hope this province never has, and I would hope that this act is never exercised—I will get to that in a minute—save and except in the direst of circumstances.

I can think only about the earthquakes that happened in Pakistan about a year or two ago. If an earthquake were to happen on that magnitude, of seven, eight or nine on the Richter scale, where literally tens of thousands of buildings were destroyed and hundreds of thousands of people lost their lives, I can see an act for that. I can see the Premier and the cabinet getting involved to do something. I don't want people who might be watching TV to worry, because Ontario is not in an earthquake fault zone; it's not, but you never know. I don't know plate tectonics or what's happening 200 miles beneath me, but something like that might necessitate such an act.

I can also say that we've seen some devastating floods. We saw one in Peterborough, but it did not need this act. If there happened to be—I can't even imagine it—rains that lasted for 40 days and 40 nights through all of Ontario, or the cresting of the Red River, which is going to happen a couple of days from now in Manitoba, where an entire community, an entire city, an entire province might be flooded out, perhaps then I could see the necessity for such an act.

I have to tell you that I have some serious misgivings about politicians who want to use an act like this for something as simple as a borer beetle, or who might use it for raccoon rabies, or who might use it if some birds get West Nile virus or something of that nature, because such bills, by their very nature, are harsh. This bill is no exception.

I would like to read a couple of the provisions, which I hope people will look at, if you haven't already read it, and will think about, when and if this goes to committee, because I would never want to give such powers to a Premier, to a cabinet or even to this Legislature unless there was an emergency of such serious consequence that there was no alternative.

Just to show what's in here, on page 4, paragraph 10: "The procurement of necessary goods, services and resources, the distribution, availability and use of necessary goods, services and resources and the establishment of centres for their distribution."

I can see that someone might need those things if there was a flood or an earthquake. However, it says that the Premier can certainly make them available. So he or she would have to make them available from whoever has them, and of course that would be taking away private property.

The second one is the "fixing of prices for necessary goods, services and resources." There would be the instant, heavy hand of the government upon the market. Perhaps you might be surprised to hear a New Democrat talking about this, but certainly there would be many, many people in this province who would question whether or not the government should have such authority, particularly for a period that would last up to 140 days, which this legislation gives.

Paragraph 12 is perhaps the most serious one: "The authorization of any person, or any person of a class of persons, to render services of a type that that person, or a person of that class, is reasonably qualified to provide."

This would involve, could involve conscription. You could simply be told, as a citizen, that you are required to report immediately, forthwith, and that you are going out to dig ditches, you are going out to place sandbags on a bank, you are going out to do any number of things for which you may personally feel you are not qualified for or have medical problems.

The Premier would have that authority. I look at that and I think, "If all of our lives were in danger, would I do that? Yes, I would. Would I give the Premier that authority? Yes, I would." But I would not do it unless the circumstance was so severe and so overwhelming that there was no other option.

1750

I have not heard debate in this room today—I was watching on TV in my own office earlier—about those catastrophic circumstances. I have heard what are relatively mundane occurrences in Ontario, which happen with great regularity, whether it be a forest fire, a flood in a community, a swollen river, and all of those are



adequately dealt with without taking these draconian measures.

I reluctantly say that I understand why we have a need for such a bill. I reluctantly understand, having seen what happened to the city of New Orleans when the dikes broke and the hurricane came and the city was inundated with overflows of water, that someone had to do something beyond just the confines of the city. Someone had to take control of the state, and in fact, the American government had to take control over a wider range because there was flooding in adjoining states as well.

I can understand the necessity of being prepared, but I want to make sure that people who are supporting this bill—and when this goes to committee—understand that it cannot be used for the everyday occurrences that we have come to expect as citizens of this great province and as Canadians. We all expect and we all know that this year there will be forest fires in northern Ontario. I do not want a bill like this used in a forest fire. I know there is a possibility that another town may encounter the same thing that happened to Peterborough, with a lot of rain falling on it in one day. I do not want a bill or the power of the Legislature to come down on a city or a group of people who live close to that city, as this bill envisages, if such an event were to happen.

I expect raccoon rabies will make it to Toronto sometime this year, next year or the year after. I do not want such a bill to be used if there is raccoon rabies, or if somebody finds a tree-boring beetle in the forest near my home. I do not think such a bill is necessary. So I want the Legislature to define what that emergency is. I want the Legislature, and government members especially, to say where you think it might be used.

Having said that—I see I'm running close; more than half of my time—I'd like to talk about what isn't in this bill but needs to be done. The member from Haliburton—Victoria—Brock touched on it in her statement. If we pass this bill, it is of short comfort to the people of Ontario that they can say, "Yes, there's emergency management; I feel safe that the Premier can one day exercise his or her power and come to the rescue," but that is not going to work unless we are prepared beyond the confines of this bill. It is only going to work if we have the staff and the resources spread out across this province that can be called upon to do what is necessary.

I looked at the bill, and you know, there are a lot of inadequate resources in this province. There have been cuts to many government departments over a number of years that have rendered those departments less capable in an emergency than now. Certainly we have all heard from the medical officer of health that the health units in all the districts of Ontario and all the cities and towns of

Ontario that have a medical officer of health are under-resourced to the point that if a true emergency happened, they would likely not be able to accommodate the great desire of the people to have it dealt with. I say that not to scare people, but to let them know that if you're going to be serious about having an emergency management plan, you also have to be very serious about putting the resources in place so that if they are ever necessary, you can call upon them.

I was heartened a little bit to see the aspect of the bill about hospital professionals, that allows the province to say to hospital professionals who are not recognized in Ontario, "Today you are a doctor," or, "Today you are a nurse," or, "Today you will render medical service to the people of Ontario." We have so many thousands, tens of thousands, of medical professionals in this country and particularly in this province who are foreign-educated, who come from other places, who desperately are trying to get accredited. This bill at least recognizes that in an emergency we think they're pretty good people, and in an emergency we'll take their service, whereas we won't take it every day. So I'd like to commend the government for putting that in, before I go back to what else I'm talking about, because they understand that people have the skills and abilities that we're not using. Would that those people were in place every day, would that they were there every day, so that it's not just in an emergency that we would get to use them but literally every day that citizens require their attention.

I'd like to point out to the government as well that there are 11 provincially operated central ambulance operations and medical transportation centres in this province. I am given to understand that the turnover rate is about 30% a year and that most of them at this time are understaffed. If there is an emergency of a great proportion, we do not have the medical staff, we do not have the transportation of people who are sick or injured that can be facilitated on a great scale. We do not even have the number of people that the workers believe are necessary to adequately deal with non-emergency situations in this province. If we are going to deal with this, if we are going to look at and pass this bill and give comfort to the people of Ontario, I would suggest we need to look to making sure that there are sufficient medical transportation centres and that the 11 provincially operated central ambulance services are adequately staffed.

I can see you getting up, Mr. Speaker, so I will stop here and continue on the next date.

**The Acting Speaker:** Thank you. It being approximately 6 p.m., this House stands adjourned until Monday, April 10, 2006, at 1:30 p.m.

*The House adjourned at 1757.*



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**Electoral reform / Réforme électorale**

Chair / Présidente: Caroline Di Cocco  
Vice-Chair / Vice-Président: Norm Miller  
Wayne Arthurs, Caroline Di Cocco,  
Kuldip Kular, Norm Miller, Richard Patten,  
Michael Prue, Monique M. Smith,  
Norman W. Sterling, Kathleen O. Wynne  
Clerk / Greffière: Anne Stokes

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